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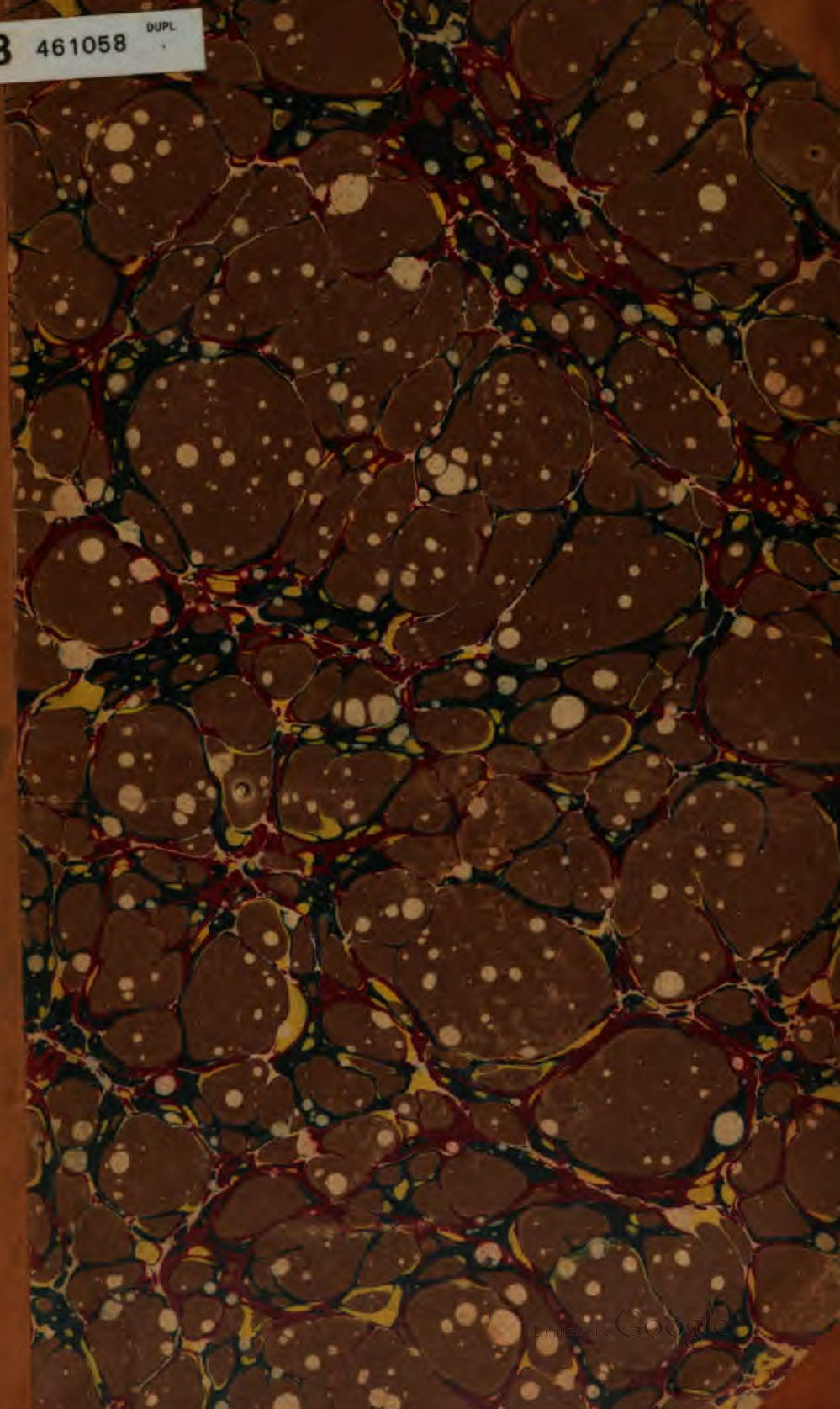
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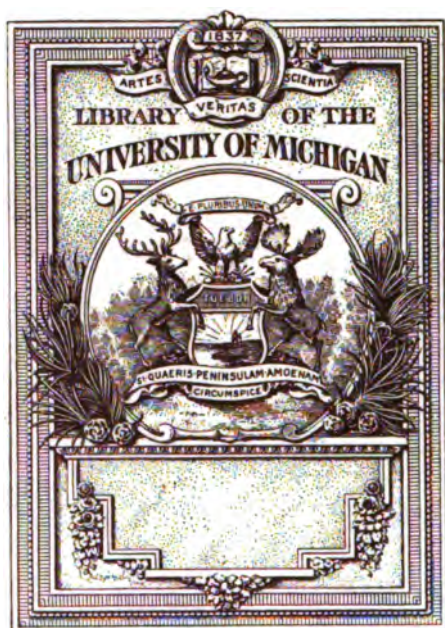
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HOUSE JOURNAL.

PROCEEDINGS

OF THE

House of Representatives

OF THE

STATE OF KANSAS.

SPECIAL SESSION,
JANUARY 16 TO FEBRUARY 4, 1908.



STATE PRINTING OFFICE
TOPEKA, 1908.

1439

HOUSE OF REPRESENTATIVES.

SPECIAL SESSION, 1908.

OFFICERS.

JOHN S. SIMMONS, Lane county.....	Speaker.
W. L. CUNNINGHAM, Cowley county.....	Speaker <i>pro tem</i> .
C. H. BRILHART, Elk county.....	Chief Clerk.
D. B. DYER, Smith county.....	Sergeant-at-arms.
W. P. WILCOX, Shawnee county.....	Doorkeeper.
W. A. TRIGG, Anderson county.....	Postmaster.
JOHN W. WHITEHEAD, Shawnee county.....	Chaplain.

MEMBERS OF THE HOUSE, 1908.

<i>Dist.</i>	<i>Name.</i>	<i>County and Post-office.</i>
124....	ADAMS, S. D.	Meade-Seward, Meade.
42....	ARCHER, W. E.	Brown, Horton.
30....	BANKS, GEO. I.	Montgomery, Independence.
101....	BEESON, C. M.	Ford, Dodge City.
100....	BERRYMAN, J. W.	Clark, Ashland.
38....	BIRD, W. A. S.	Shawnee, Topeka.
79....	BLAINE, D. W.	Pratt, Pratt.
91....	BOGGS, S. R.	Smith, Smith Center.
113....	BOYLE, JOHN O.	Sherman, Goodland.
58....	BRANDON, S. H.	Butler, Douglass.
66....	BRIERLEY, J. H.	Cloud, Glasco.
76....	BROWN, J. D.	Harper, Anthony.
83....	CHATTEN, W. M.	Barton, Claflin.
4....	CLARK, W. A.	Jefferson, Winchester.
97....	COLE, F. N.	Edwards, Kinsley.
56....	COTTINGHAM, J. R.	Cowley, Willmot.
25....	COWAN, HAL C.	Cherokee, Weir City.
125....	CRADDOCK, G. PORTER	Morton-Stevens, Richfield.
62....	CREECH, J. W.	Dickinson, Herington.
110....	CRUMLY, I. W.	Thomas, Colby.
55....	CUNNINGHAM, W. L.	Cowley, Arkansas City.
99....	CURRAN, T. J.	Comanche, Coldwater.
71....	DAVIDSON, C. L.	Sedgwick, Wichita.
22....	DAVIS, J. M.	Bourbon, Bronson.
60....	DAVISON, E. F.	Marion, Peabody.
109....	DENNIS, D. M.	Gove, Orton.
52....	EDWARDS, JOHN A.	Greenwood, Eureka.
53....	ELSTUN, W. A.	Elk, Moline.
10....	ENRIGHT, E. A.	Wyandotte, Kansas City, Kan.
5....		Jefferson county.
112....	FINLEY, JOHN L.	Cheyenne, St. Francis.
54....	FISHER, EDGAR J.	Chautauqua, Sedan.
107....	FLANIGAN, J. D.	Decatur, Oberlin.
84....	FOLEY, C. F.	Rice, Lyons.
63....	FRASER, D. C.	Clay, Clifton.
35....	GANTS, C. E.	Osage, Melvern.
78....	GESNER, WM.	Barber, Kiowa.
11....	GORDON, W. W.	Wyandotte, Rosedale.
95....	GRASS, H. W.	Rush, La Crosse.
82....	GUYER, J. E.	Stafford, Stafford.
93....	HAM, W. B.	Rooks, Stockton.
120....	HART, J. C.	Kearny, Lakin.
12....	HASKINS, S. B.	Johnson, Olathe.
31....	HELMICK, M. P.	Neosho, Chanute.
111....	HENDRICKS, ROBERT S.	Rawlins, Atwood.
116....	HOLDEN, JAMES M.	Greeley-Wichita, Leoti.
29....	HOLDREN, J. W.	Montgomery, Cherryvale.
72....	HUSEY, A. C.	Sedgwick, Wichita.
87....	HUTCHESON, M. A.	Shawnee, Silver Lake.
8....	INGALLS, SHEFFIELD	Atchison, Atchison.
75....	JEFFRIES, JOHN A.	Sumner, South Haven.
17....	JOHNSON, JOS. S.	Miami, Osawatimie.
104....	JONES, A. B.	Trego, Wa Keeney.

<i>Dist.</i>	<i>Name.</i>	<i>County and Post-office.</i>
2....	KIFF, WM.	Atchison, Atchison.
119....	KINNISSON, W. M.	Finney, Garden City.
68....	KIRTLAND, CHAS. B.	Saline, Salina.
69....	LANDER, CHARLES	McPherson, Lindsborg.
28....	LEHMAN, SIGMUND	Labette, Chetopa.
1....	LELAND, CYRUS	Doniphan, Troy.
103....	LENNEN, O. L.	Ness, Ness City.
57....	LEYDIG, B. R.	Butler, El Dorado.
9....	MARTIN, WM. H.	Wyandotte, Kansas City, Kan.
74....	MAYHEW, THOS. A.	Sumner, Wellington.
122....	McGILLIVRAY, ED.	Grant-Stanton, Ulysses.
88....		Mitchell county.
59....	MERCER, J. H.	Chase, Bazaar.
123....	MILLER, JOHN J.	Gray-Haskell, Santa Fe.
19....	MILLIGAN, J. A.	Anderson, Garnett.
13....	MITCHELL, A. C.	Douglas, Lawrence.
23....	MONTEE, J. W.	Crawford, Girard.
102....	MORGAN, W. A.	Hodgeman, Jetmore.
80....	MORGAN, W. Y.	Reno, Hutchinson.
70....	MURPHY, THOS. P.	Harvey, Halstead.
43....	MYERS, S. R.	Nemaha, Sabetha.
36....	NEIHART, C. T.	Osage, Carbondale.
6....	O'CONNER, JAS. F.	Leavenworth, Leavenworth.
04....	OSHANT, H. W.	Ellis, Hays.
21....	PADGETT, W. W.	Bourbon, Fort Scott.
108....	PATTERSON, T. D.	Sheridan, Hoxie.
47....	PETER, W. F.	Riley, Randolph.
51....	PLUMB, GEORGE	Lyon, Emporia.
85....	POHLMAN, C. F.	Ellsworth, Ellsworth.
65....	POLLEY, M. C.	Republic, Republic.
40....	POMEROY, F. W.	Jackson, Holton.
61....	POTTS, P. J.	Morris, Diamond Springs.
114....	PRICE, J. S.	Logan, Oakley.
77....	RALL, E. B.	Kingman, Zenda.
15....	RANSOM, J. H.	Franklin, Ransomville.
16....	REYNARD, J. W.	Franklin, Ottawa.
44....	RHODES, JAS. M.	Marshall, Frankfort.
121....	RICH, PAUL	Hamilton, Syracuse.
46....	RICHARDSON, E. F.	Pottawatomie, Onaga.
106....	RICHMOND, R. A.	Norton, Lenora.
117....	ROCHESTER, E. P.	Scott, Scott.
86....	ROCKEFELLER, F. S.	Russell, Russell.
40....	ROUSH, WYATT	Wabaunsee, Burlingame.
41....	RYAN, S. L.	Brown, Hiawatha.
73....	SAUNDERS, JOHN L.	Sedgwick, Cheney.
48....	SCHMIDT, G. W.	Geary, Junction City.
04....	SHEPARD, J. D.	Washington, Greenleaf.
68....	SHERER, J. A.	Kiowa, Mullinville.
118....	SIMMONS, J. S.	Lane, Dighton.
32....	SIPPLE, G. K.	Wilson, Neodesha.
87....	SKINNER, E. T.	Lincoln, Beverly.
7....	SNYDER, CHAS. E.	Leavenworth, Leavenworth.
27....	SOURBEER, A. M.	Labette, Parsons.
50....	STANNARD, C. A.	Lyon, Emporia.
33....		Woodson county.
34....	STOCKTON, M. L.	Coffey, Gridley.
39....	STONE, ROBERT	Shawnee, Topeka.
14....	STUBBS, W. R.	Douglas, Lawrence.
96....	SWEENEY, MICHAEL	Pawnee, Pawnee Rock.
90....	SWOPE, A.	Jewell, Mankato.

Members of the House.

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<i>Dist.</i>	<i>Name.</i>	<i>County and Post-office.</i>
92....	TANNAHILL, GEO. H.....	Phillips, Long Island.
89....	TAYLOR, J. B.....	Osborne, Alton.
81....	THOMPSON, H. S.....	Reno, Sylvia.
20....	TREDWAY, J. T.....	Allen, La Harpe.
8....	UMHOLTZ, D. V.....	Leavenworth, Neely.
18....	WARREN, D. A.....	Linn, Mound City.
105....	WELLS, WM.	Graham, Hill City.
26....	WESTCOTT, S. C.....	Cherokee, Galena.
24....	WHEELER, F. B.....	Crawford, Pittsburg.
67....	WHITE, JOHN T.....	Ottawa, Ada.
45....	WILSON, E. L.....	Marshall, Marysville.
115....	WOODHOUSE, GUY E.....	Wallace, Sharon Springs.

The following members of the 1907 House of Representatives are now deceased:

HON. WALTER FERGUSON, Dist. No. 5, Jefferson county.

HON. J. H. STICHER, Dist. No. 38, Woodson county.

HON. G. H. MCKINNIE, Dist. No. 88, Mitchell county.

MEMBERS OF THE SENATE, 1908.

<i>Dist.</i>	<i>Name.</i>	<i>County and Post-office</i>
25....	BENSON, W. F.....	Butler, El Dorado.
17....	BETTS, J. B.....	Shawnee, Topeka.
7....	BLAKER, BENJ. F.....	Linn, Pleasanton.
22....	BREWER, J. E.....	Dickinson, Abilene.
39....	BUSCHOW, CHAS.....	Thomas, Colby.
32....	CALDWELL, W. W.....	Cloud, Concordia.
36....	CARVER, T. C.....	Pratt, Pratt.
35....	CHAPMAN, G. L.....	Barton, Great Bend.
11....	CONNER, W. J.....	Labette, Labette.
21....	DOLLEY, J. N.....	Wabaunsee, Maplehill.
26....	FITZPATRICK, W. S.....	Chautauqua, Sedan.
19....	FULTON, E. R.....	Marshall, Marysville.
4....	GETTY, JAS. F.....	Wyandotte, Kansas City.
1....	GILBERT, ARTHUR L.....	Doniphan, Troy.
5....	GRIFFIN, U. S.....	Jefferson, Nortonville.
23....	HAMME, J. M.....	Chase, Cottonwood Falls.
34....	HARRISON, D. B.....	Osborne, Downs.
40....	HASKELL, W. H.....	Smith, Smith Center.
18....	HAYDEN, GEO. P.....	Nemaha, Wetmore.
6....	HODGES, GEO. H.....	Johnson, Olathe.
10....	HUFFMAN, C. S.....	Cherokee, Columbus.
30....	HUGHES, JOHN F.....	McPherson, McPherson.
20....	LOWER, J. B.....	Washington, Haddam.
8....	MARTIN, C. I.....	Bourbon, Fort Scott.
14....	MARTIN, JAS. L.....	Woodson, Yates Center.
16....	MILLER, H. B.....	Osage, Osage City.
37....	NOFTZGER, T. A.....	Harper, Anthony.
9....	PORTER, E. F.....	Crawford, Pittsburg.
12....	PORTER, S. M.....	Montgomery, Caney.
31....	QUINCY, FRED H.....	Saline, Salina.
13....	ROBERTSON, F. M.....	Wilson, Coyville.
28....	SIMONS, R. T.....	Sumner, Caldwell.
38....	SMITH, F. DUMONT.....	Edwards, Kinsley.
15....	STANNARD, F. H.....	Franklin, Ottawa.
29....	STEWART, J. H.....	Sedgwick, Wichita.
3....	STILLINGS, VINTON	Leavenworth, Leavenworth.
24....	TUCKER, GEO. E.....	Greenwood, Eureka.
2....	WAGGENER, B. P.....	Atchison, Atchison.
27....	WILKERSON, ED.....	Cowley, Udall.
33....	YOUNG, I. D.....	Mitchell, Beloit.

HOUSE EMPLOYEES.

SPECIAL SESSION, 1908.

<i>Name.</i>	<i>Position.</i>
C. W. STEIGER.....	Assistant Chief Clerk.
J. W. CLARK.....	Reading Clerk.
D. T. HARRIS.....	Reading Clerk.
SYLVIA SOWDER.....	Speaker's Stenographer.
CLARA FRITZ.....	Stenographer.
C. A. LOCKHARD.....	Clerk Enrolled Bills.
ALMA BARTELL.....	Stenographer.
LOU VARNER.....	Assistant Enrolling Clerk.
J. W. KNAPP.....	Printing Clerk.
JOHN HOLDREN.....	Docket Clerk.
GEORGE WILEY.....	Docket Clerk.
EFTON SEAMAN.....	Engrossing Clerk.
ROBERT FORBRIDGER.....	Journal Clerk.
CONNIE COLLINS.....	Copyist.
J. M. MONTGOMERY.....	Document Clerk.
WILSON B. SMITH.....	Speaker's Secretary.
BLUE HEROD.....	Assistant Document Clerk.
KATE CLOUGH.....	Telephone Girl.
W. P. MASON.....	Assistant Sergeant-at-arms.
W. T. COLLINS.....	Assistant Sergeant-at-arms.
B. O. WILLIAMS.....	Assistant Sergeant-at-arms.
I. N. SMITH.....	Assistant Sergeant-at-arms.
J. M. BROUGH.....	Assistant Sergeant-at-arms.
A. A. WHEELER.....	Assistant Doorkeeper.
B. F. NYE.....	Assistant Doorkeeper.
RUSH SPURLOCK.....	Assistant Doorkeeper.
C. O. SMITH.....	Assistant Doorkeeper.
GEORGE CAMPBELL.....	Mail Carrier.
J. W. KELSO.....	Superintendent of Ventilation.
TEDDIE MORSE.....	Speaker's Page.
EDGAR WHITLOW.....	Page.
SHIBLEY ALLERSON.....	Page.
HARRY DILLARD.....	Page.
LESTER SHALLOW.....	Page.
E. L. BELL.....	Janitor.
GEORGE MACADOO.....	Janitor.
BROOKS ROBERTS.....	Janitor.
E. MILLS.....	Janitor.
JOHN DAVIS.....	Janitor.
FRANK WEST.....	Janitor.
J. M. POPE.....	Cloak-room Attendant.
MRS. J. M. SMILEY.....	Attendant Ladies' Room.
ROY CAMPBELL.....	Clerk Railroad Committee.
PEARL DUMENEIL.....	Copyist.
BLANCH DAVENPORT.....	Clerk Judiciary Committee.
J. R. EDWARDS.....	Night Watch.
ELIZABETH GRICE.....	Copyist.
HAZEL GARDNER.....	Stenographer.
VERA JOHNSON.....	Stenographer and Clerk W. & M. Com.
DAN JONES.....	Doorkeeper Ways and Means Com.
J. W. McMAHON.....	Assistant Sergeant-at-arms.
GEO. MONTGOMERY.....	Page.
BESSIE RENO.....	Bookkeeper.
FRANK RYAN.....	Clerk Judiciary Committee.
DORA SKARSE.....	Attendant Ladies' Room.
SUSIE WILLIAMS.....	Stenographer.
A. G. HAGAN.....	Janitor.
RUFUS FRAZIER.....	Janitor.

HOUSE STANDING COMMITTEES.

JUDICIARY.

Ryan, *chairman*,
 Mitchell,
 Padgett,
 Craddock,
 Enright,
 Holdren,
 Ham,
 Leydig,
 Ingalls,
 Archer,
 Rochester,
 Wheeler,
 Foley,
 Elstun,

JUDICIARY LOCAL.

Westcott, *chairman*,
 Stone,
 Berryman,
 Cunningham,
 Stubbs,
 Haskins,
 Hendricks,
 Neihart,
 Gordon.

WAYS AND MEANS.

Leland, *chairman*,
 Creech,
 Clark,
 Kinnison,
 Roush,
 Taylor,
 Skinner,
 Tredway,
 Pomeroy,
 Davidson,
 Ransom,
 Lehman,
 Cunningham,
 Davison,
 Richmond,
 Cole,
 Davis.

STATE AFFAIRS.

Grass, *chairman*,
 Mercer,
 Potts,
 Edwards,
 Fraser,
 Flanigan,
 Hart.

ASSESSMENT AND TAXATION.

Kirtland, *chairman*,
 Murphy,
 Brierley,
 Roush,
 Lander,
 Padgett,
 White,
 Rich,
 Rhodes,
 Archer,
 McGillivray,
 Gesner,
 Thompson,
 Lennen,
 Rockefeller.

RAILROADS.

Morgan of Reno, *chairman*,
 Stannard,
 Kiff,
 Potts,
 Jeffries,
 Guyer,
 Elstun,
 Grass,
 Montee,
 Snyder,
 Taylor,
 Shepard,
 Johnson,
 Oshant,
 Polley,
 Jones,
 Haskins.

EDUCATION.

Ingalls, *chairman*,
 Plumb,
 Fisher,
 Stone,
 Tredway,
 Miller,
 Polley,
 Lennen,
 Pohlman.

AGRICULTURE.

Schmidt, *chairman*,
 Hutcheson,
 Curran,
 Cunningham,
 McGillivray,
 Plumb,
 Reynard,
 Thompson,
 Swope.

STANDING COMMITTEES—CONTINUED.

HOETICULTURE AND FORESTRY.

Guyer, *chairman*,
Beeson,
Jones,
Wells,
Rail,
—

CHARITABLE INSTITUTIONS.

Crumly, *chairman*,
Husey,
Ham,
Jones,
Lehman,
Mercer,
O'Conner,
—

TEMPERANCE.

Haskins, *chairman*,
Holdren,
Boggs,
White,
Stockton,
Fraser,
Guyer,
Wilson,
Blaine.

HYGIENE AND PUBLIC HEALTH.

Milligan, *chairman*,
Jones,
Stockton,
Mayhew,
Richardson,
Wilson,
Bird.

MANUFACTURES.

Sourbeer, *chairman*,
Skinner,
Leland,
Lander,
Rhodes,
Umholtz,
Adams.

MINES AND MINING.

Cowan, *chairman*,
Banks,
Warren,
Rhodes,
Archer,
Umholtz,
Fisher,
Westcott,
Davis,
Gants,
Sipple.

INSURANCE.

Elstun, *chairman*,
Rochester,
Reynard,
Husey,
Enright,
Crumly,
Wheeler,
Leydig,
Morgan of Hodgeman.

FEDERAL RELATIONS.

—, *chairman*,
Creech,
Stubbs,
Morgan of Reno,
Stannard,
Stone,
Thompson.

MILITIA.

Mayhew, *chairman*,
Fraser,
Sourbeer,
Dennis,
Cottingham,
Gordon.

MUNICIPAL CORPORATIONS.

Archer, *chairman*,
Berryman,
Dennis,
Wells,
Swope,
Wilson,
Brown.

MUNICIPAL INDEBTEDNESS.

Padgett, *chairman*,
Leland,
Westcott,
Wheeler,
Price,
Saunders,
Gordon.

EDUCATIONAL INSTITUTIONS.

Boggs, *chairman*,
Brierley,
Pomeroy,
Berryman,
Brandon,
Blaine,
—

STANDING COMMITTEES—CONTINUED.

BANKS AND BANKING.

Brandon, *chairman*,
 Chatten,
 Berryman,
 Crumly,
 Rhodes,
 Snyder,
 Woodhouse,
 Brown,
 Tannahill.

PRIVATE CORPORATIONS.

Fraser, *chairman*,
 Grass,
 Ham,
 Hutcheson,
 Kinnison,
 Sipple,
 Rockefeller.

ROADS AND HIGHWAYS.

Peter, *chairman*,
 Ham,
 Myers,
 Ransom,
 Cottingham,
 Stockton,
 Reynard,
 Blaine,
 Sweeny,
 Jeffries,
 Edwards,
 Curran,
 Gants,
 Gordon,

FEES AND SALARIES.

Montee, *chairman*,
 Clark,
 Murphy,
 Finley,
 Potts,
 Kiff,
 Swope,
 Sherer,

CLAIMS AND ACCOUNTS.

Banks, *chairman*,
 Mitchell,
 Murphy,
 Patterson,
 Rall,
 Morgan of Hodgeman,
 Martin.

PRINTING.

Miller, *chairman*,
 Kirtland,
 Morgan of Reno,
 Richmond,
 Snyder,
 Stockton,
 Wells,
 Lehman,
 Leydig,
 Woodhouse,
 Tannahill,
 Swope,
 Richardson.

PENAL INSTITUTIONS.

Brierley, *chairman*,
 Montee,
 McGillivray,
 Jeffries,
 Craddock,
 Holden,
 Gesner,
 Hutcheson,
 Fisher,
 Mayhew,
 Hart,
 Saunders,
 Adams.

POLITICAL RIGHTS OF WOMEN.

Potts, *chairman*,
 Banks,
 Bird,
 Fisher,
 Guyer,
 Flanigan,
 Gants.

PUBLIC LANDS.

Craddock, *chairman*,
 Warren,
 Wells,
 Rich,
 Patterson,
 Sherer,
 Sweeny.

PUBLIC BUILDINGS AND GROUNDS.

Stubbs, *chairman*,
 Lander,
 Taylor,
 Beeson,
 Brown,
 Swope,
 Adams.

STANDING COMMITTEES—CONTINUED.

STATE LIBRARY.

Taylor, *chairman*,
Umholtz,
Skinner,
Roush,
Rall,
Oshant,
Martin.

ENGROSSED BILLS.

Clark, *chairman*,
Woodhouse,
Sayder,
Richmond,
Ransom,
Hart,

ENROLLED BILLS.

Lehman, *chairman*,
Craddock,
Edwards,
Shepard,
Hendricks,
Saunders,

JUDICIAL APPORTIONMENT.

Rich, *chairman*,
Umholtz,
Ingalls,
Bird,
Ransom,
Plumb,
Montee,
Potts,
Morgan of Reno,
Haskins,
Rall,
Boyle,
White,
Pomeroy,
Cowan,
Polley,
Fisher,
Sourbeer,
Boggs,
Davidson,
Cunningham,
Foley,
Rhodes,
Myers,
Jones,
Enright,
Richardson,
Holden,
Morgan of Hodgeman,

LABOR.

Jeffries, *chairman*,
Enright,
Tredway,
Cowan,
Sourbeer,
Neihart,
O'Conner.

LEGISLATIVE APPORTIONMENT.

Chatten, *chairman*,
Skinner,
Murphy,
Mercer,
Schmidt,
Boyle,
Rochester,
Ingalls,
Milligan,
Helmick,
Rockefeller,
Hendricks,

CONGRESSIONAL APPORTIONMENT.

Husey, *chairman*,
Rich,
Stockton,
Mitchell,
Leydig,
Finley,
Helmick,
Hutcheson,
Umholtz,
Reynard,
Mercer,
Rhodes,
Skinner.

CITIES OF THE FIRST CLASS.

Bird, *chairman*,
Husey,
Kiff,
Padgett,
Enright,
O'Conner,
Martin.

CITIES OF THE SECOND CLASS.

HOLDREN, *chairman*,
Plumb,
Morgan of Reno,
Mayhew,
Ryan,
Stubbs,
Foley.

STANDING COMMITTEES—CONTINUED.

CITIES OF THE THIRD CLASS.

Richmond, *chairman*,
 Boggs,
 Curran,
 Tredway,
 Rich,
 Price,
 Sweeny.

ELECTIONS.

Davison, *chairman*,
 Chatten,
 Kinnison,
 Crumly,
 Wheeler,
 Clark,
 Schmidt,
 Davidson,
 Tannahill.

COUNTY LINES AND COUNTY SEATS.

Gesner, *chairman*,
 Clark,
 Ransom,
 Peter,
 Schmidt,
 Price,
 Neihart.

RULES.

Woodhouse, *chairman*,
 Stone,
 Finley,
 Rich,
 Holden,
 Ingalls,
 Saunders.

SUPERVISION OF THE JOURNAL.

Polley, *chairman*,
 Boyle,
 Miller,
 Lander,
 Dennis,
 Cole,
 Pohlman.

IMMIGRATION.

Finley, *chairman*,
 Chatten,
 Holden,
 Morgan of Hodgeman,
 Patterson,
 Price,
 Flanigan.

MILEAGE.

Curran, *chairman*,
 Kirtland,
 Myers,
 Rich,
 Saunders,
 Sherer,
 Flanigan.

TELEGRAPH AND TELEPHONES.

Roush, *chairman*,
 Cowan,
 Mercer,
 Kirtland,
 Gordon,
 Gants,
 Pohlman.

IRRIGATION.

Kinnison, *chairman*,
 McGillivray,
 Jones,
 Finley,
 Dennis,
 Boyle,
 Miller,
 Woodhouse,
 Morgan of Hodgeman,
 Blaine,
 Price,
 Hart,
 Gants.

EMPLOYEES OF THE HOUSE.

Beeson, *chairman*,
 Kiff,
 Milligan,
 Helmick,
 Davison,
 Schmidt,
 Boggs.

LIVE STOCK.

Stannard, *chairman*,
 White,
 Myers,
 Holden,
 Shepard,
 Edwards,
 Gesner,
 Morgan of Hodgeman,
 Mercer,
 Beeson,
 Patterson,
 Sherer,
 Thompson.

STANDING COMMITTEES—CONCLUDED.

STATE HISTORICAL SOCIETY.

Plumb, *chairman*,
Ryan,
Rall,
Saunders,
Rockefeller,
Tannahill,

OIL AND GAS.

Helmick, *chairman*,
Banks,
Elstun,
Pomeroy,
Stannard,
Holdren,
Stockton,
Gordon,
Johnson.

JOURNAL OF THE HOUSE.

FIRST DAY.

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KAN., January 16, 1908—4 P. M.

This being the day fixed by Hon. E. W. Hoch, governor, for the assembling of the Legislature in special session, in accordance with the proclamation dated January 7, 1908, the House was called to order by Mr. Speaker Simmons.

The roll was called and 114 gentlemen answered to their names.

The following gentlemen were absent: Messrs. Archer, Craddock, Creech, Curran, Finley, Rall, Westcott, and Woodhouse.

Mr. Creech was absent by leave.

Quorum present.

Prayer by the chaplain.

The proclamation of the governor was read, and is as follows:

WHEREAS, Several matters of general state importance, urgent in their nature, require legislative action at this time and create an emergency requiring the convening of the Legislature in extraordinary session:

NOW, THEREFORE, I, E. W. HOCH, governor of the state of Kansas, by virtue of the authority vested in me by the constitution of the state, do hereby convene the Legislature in extraordinary session to meet at the capitol of the state at the hour of four o'clock P. M., on Thursday, the 16th day of January, 1908.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused to be affixed the great seal of the state of Kansas. Done at the city of Topeka, this 7th day of January 1908. E. W. HOCH, Governor.

By the governor:

C. E. DENTON, *Secretary of State.*

REPORT OF COMMITTEE.

Mr. Beeson, chairman of the Committee on House Employees, submitted the following report:

MR. SPEAKER: The Committee on House Employees, feeling that it is the sense of the House that the work of this session should begin at once, have taken the authority upon themselves to meet this afternoon and prepare the following report. Our only object in this matter is to expedite the business of the House, and we trust the members will accept it in the spirit in which it is offered.

In view of the fact that D. Y. Wilson, chief clerk, has moved from the state, we would respectfully recommend to this House that it elect C. H. Brillhart, former assistant chief clerk, as chief clerk of this session

We further recommend the following employees for the following positions:

C. W. Steiger, assistant chief clerk.
 J. W. Clark, reading clerk.
 D. T. Harris, reading clerk.
 Sylvia Sowder, speaker's stenographer.
 Clare Fritz, stenographer.
 C. A. Lockhard, clerk enrolled bills.
 Alma Bartel, stenographer.
 Lou Varner, assistant enrolling clerk.
 J. W. Knapp, printing clerk.
 John Holdren, docket clerk.
 George Wiley, docket clerk.
 Efton Seaman, engrossing clerk.
 Robert Forbridger, journal clerk.
 Connie Collins, copyist.
 J. M. Montgomery, document clerk.
 Wilson B. Smith, speaker's secretary.
 Blue Herod, assistant document clerk.
 Kate Clough, telephone girl.
 W. P. Mason, assistant sergeant-at-arms.
 W. T. Collins, assistant sergeant-at-arms.
 B. O. Williams, assistant sergeant-at-arms.
 I. N. Smith, assistant sergeant-at-arms.
 J. M. Brough, assistant sergeant-at-arms.
 A. A. Wheeler, assistant doorkeeper.
 B. F. Nye, assistant doorkeeper.
 Rush Spurlock, assistant doorkeeper.
 C. O. Smith, assistant doorkeeper.
 Geo. Campbell, mail carrier.
 J. W. Kelso, superintendent of ventilation.
 Teddie Morse, speaker's page.
 Edgar Whitlow, page.
 Shibley Allison, page.
 Harry Dillard, page.
 Lester Shallow, page.
 E. L. Bell, janitor.
 Geo. Macadoo, janitor.
 Brooks Roberts, janitor.
 E. Mills, janitor.
 John Davis, janitor.
 Frank West, janitor.
 J. M. Pope, cloak-room.
 Mrs. J. M. Smiley, attendant, ladies' room.

C. M. BEESON, *Chairman.*

Mr. Helmick moved that the rules be suspended and that Mr. C. H. Brilhart be elected chief clerk by acclamation, and that the report of the Committee on House Employees be adopted as read, which motion prevailed.

Mr. C. H. Brilhart, as chief clerk, and all of the above House employees, were duly sworn in.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed by the Senate to inform the House that the Senate is now organized, with Lieutenant-governor Fitzgerald as president; W. S. Fitzpatrick, president *pro tem.*; W. S. Kretsinger, secretary; G. A. Swallow, sergeant-at-arms; and awaits the pleasure of the House.

Also, has adopted Senate concurrent resolution No. 1, Relating to a

joint committee to wait upon the governor, and has appointed as its members on the said committee Senators Fulton and Simon.

The same is herewith submitted. W. S. KRETSINGER, *Secretary*.

Mr. Holdren of Montgomery moved that the rules which governed the House of Representatives of 1907 be adopted, which motion prevailed.

RULES OF THE HOUSE.

MEETINGS, QUORUM, ETC.

RULE 1. The hour of meeting each day shall be ten o'clock A. M. until the second Tuesday of the session, on and after which day the hour of meeting shall be nine o'clock A. M., unless a different time be fixed by resolution.

RULE 2. A majority of all the members elect shall constitute a quorum.

RULE 3. In all cases of the absence of a quorum during the session of the House, the members present may take such measures as they shall deem necessary to secure the presence of a quorum; and the House may inflict such censure or pecuniary penalty as it may deem just on those who, being called for that purpose, shall render no sufficient excuse for their absence.

ADMISSION TO THE FLOOR AND GALLERY.

RULE 4. The following classes of persons, and no others, shall have admission to the floor of the House: (1) All members and officers of the Legislature, and the wives and families of members. (2) State officers. (3) Reporters of the public press, actually employed, by card of admission from the speaker. (4) Judges of the supreme court of Kansas. (5) No person other than members shall be allowed to occupy a seat in the body of the House. No person shall be admitted to the floor of the House who is agent or attorney for or interested in any pending legislation, when the same is under discussion or consideration by the House. (6) Ten minutes before the House is called to order, the sergeant-at-arms will remove all persons from the floor, save those excepted by the rules. (7) Ladies, gentlemen accompanied by ladies, or gentlemen by card of admission from the speaker, shall be admitted to the speaker's gallery.

RULE 5. The speaker shall take the chair, each day, at the hour to which the House shall have adjourned. He shall call the House to order, and, except in the absence of a quorum, shall proceed to business in the manner prescribed by these rules.

RULE 6. The speaker shall not be compelled to vote except when his vote will change the result, or where the vote is taken by yeas or nays.

RULE 7. The speaker shall possess the powers and perform the duties herein prescribed, namely: (1) To preserve order and decorum. (2) To decide all questions of order, subject to appeal to the House. On every appeal he shall have the right, in his place, to assign his reasons for his decision. (3) To appoint all committees, except when the House shall otherwise direct. All appointments shall be announced in open session. (4) In the absence of the speaker *pro tem.*, to substitute any member to perform the duties of the chair for a period not exceeding two consecutive legislative days. (5) To name a chairman to preside when the House shall be ready to go into committee of the whole. (6) To sign all bills passed by the House and certify the passage of all bills that may be passed over the governor's veto, with the date of their passage.

RULE 8. In the absence of the speaker, the speaker *pro tem.* shall perform all the duties of speaker.

RULE 9. It shall be the duty of the chief clerk to keep a faithful record of all the proceedings of the House; to call the roll; to report correctly the results of voting, yea-and-nay and division votes; to read or

cause to be read the Journal, and all bills, resolutions, petitions or other papers which the House may require; to deliver all messages of the House to the Senate; to deliver all bills to be engrossed and all bills to be enrolled to the secretary of state, and to take his receipt for the same; to deliver to the printer all bills and other documents ordered to be printed, and take his receipt therefor. He shall have control of all the clerks of the House, and be held responsible for the faithful performance of their duties.

RULE 10. It shall be the duty of the assistant clerk to aid the chief clerk in the performance of his duties, and to perform the same in the absence of the chief clerk.

RULE 11. It shall be the duty of the journal clerk to furnish the chief clerk, each morning, a correct copy of the Journal of the preceding day.

RULE 12. It shall be the duty of the docket clerk to keep a correct record of the number, title and status of every bill, resolution, memorial, and petition, and furnish the state printer every evening with a correct copy of the number and title of all bills that shall come under the head of general and special orders for the ensuing day.

RULE 13. No bill, resolution, memorial, petition or other paper shall be allowed to go out of the hands of the clerk in whose keeping the same may be, except when delivered to the committee to which it is referred, or to a member of the House, and then only upon a written receipt therefor.

RULE 14. It shall be the duty of the sergeant-at-arms to receive from the printer all bills and other matter printed for distribution among the members of the House, and cause the same to be so distributed; to procure all stationery and needful articles, and execute all orders of the House not otherwise provided for. He shall have the general supervision of the hall of the House of Representatives, and the subordinate officers of the House, committee and cloak-rooms, and shall preserve order within the hall, lobby, and galleries, and may arrest and take into custody for disorderly conduct.

RULE 15. It shall be the duty of the doorkeeper and assistants to see that no person is admitted to the floor of the House except as provided by rule or special order. They shall brush and arrange the desks and hall, procure water and ice, and keep the hall properly warmed and ventilated, and execute all orders directed to them by the House or speaker.

RULE 16. All standing committees shall consist of seven members each, except Penal Institutions, Mines and Mining, Congressional Apportionment, Legislative Apportionment, Irrigation, Printing, and Live Stock, which shall consist of thirteen each; County Lines and County-seats, Temperance, Labor, Fees and Salaries, Judiciary Local, Insurance, Education, Agriculture, Banks and Banking, Elections, Hygiene and Public Health, Cities of the First Class, Cities of the Second Class, Charitable Institutions, and Gas and Oil, which shall consist of nine members each; the Judicial Apportionment Committee shall consist of one from each judicial district in the state; the Judiciary Committee, Roads and Highways, and Assessment and Taxation shall consist of fifteen members; and the Committees on Railroads and Ways and Means shall each consist of seventeen members. Standing committees shall be appointed by the speaker on the following subjects:

1. Judiciary.
2. Judiciary Local.
3. Ways and Means.
4. State Affairs.
5. Assessment and Taxation.
6. Railroads.
7. Education.
8. Agriculture.
9. Horticulture and Forestry.

10. Charitable Institutions.
11. Temperance.
12. Hygiene and Public Health.
13. Manufacturing.
14. Mines and Mining.
15. Insurance.
16. Federal Relations.
17. Militia.
18. Municipal Corporations.
19. Municipal Indebtedness.
20. Educational Institutions.
21. Banks and Banking.
22. Private Corporations.
23. Roads and Highways.
24. Fees and Salaries.
25. Claims and Accounts.
26. Printing.
27. Penal Institutions.
28. Political Rights of Women.
29. Public Lands.
30. Public Buildings and Grounds.
31. State Library.
32. Engrossed Bills.
33. Enrolled Bills.
34. Judicial Apportionment.
35. Labor.
36. Legislative Apportionment.
37. Congressional Apportionment.
38. Cities of the First Class.
39. Cities of the Second Class.
40. Cities of the Third Class.
41. Elections.
42. County Lines and County-seats.
43. Rules.
44. Supervision of the Journal.
45. Immigration.
46. Mileage.
47. Telegraphs and Telephones.
48. Irrigation.
49. Employees of the House.
50. Live Stock.
51. State Historical Society.
52. Gas and Oil.

RULE 17. No member shall be appointed upon the committee of any of the institutions who resides in the representative district where the institution is located.

RULE 18. It shall be the duty of each committee to report to the House upon all local and special matters referred to it within five days after such reference, and upon all other matters within ten days after such reference, unless otherwise ordered by the House. Reports of committees shall be signed by the chairman or other member of the committee authorized to make the report.

RULE 19. The result of all roll-calls for the ascertainment of a quorum shall be recorded in the Journal by a statement of the total number present, and naming the absentees only. The swearing in of an officer shall be recorded, but the oath of office shall not be set forth.

RULE 20. Adverse reports of committees may be indorsed upon the back of the bill, as follows: "Adversely reported," and the Journal shall record the fact, giving the number and title of bills so reported, and name of member and committee reporting the same. When a report on more than one bill is made at the same time by the Committee on En-

grossed Bills or the Committee on Enrolled Bills, all of said bills so reported shall be included in one report. When a bill is favorably reported from a committee without comment or explanation by the committee other than its recommendation for passage, the Journal shall merely recite the fact that the bill was so reported by such committee, giving the number and title of bill and name of member reporting the same.

OF THE JOURNAL AND ORDER OF BUSINESS.

RULE 21. The first business of each day's session shall be the calling of the roll; second, prayer; third, reading and correcting the Journal.

RULE 22. Order of business, except on days and at times set apart for the consideration of special orders, shall be as follows, to wit:

1. The presentation of petitions.
2. Introduction of bills.
3. Second reading and reference of bills.
4. Reports of standing committees.
5. Reports of select committees.
6. Messages from the governor.
7. Communications from the state officers.
8. Messages from the Senate.
9. Original motions and resolutions.
10. Motions and resolutions offered on a previous day.
11. The unfinished business before the House at the time of adjournment on the previous day.
12. Third reading of bills reported by the committee of the whole.
13. General Orders of the day, consisting of bills ready to be considered in committee of the whole.

RULE 23. Senate amendments to House bills and resolutions shall be in order at any time when no question is pending.

RULE 24. Bills that have been reported by a standing or select committee shall constitute the "General Orders," and their titles shall be recorded in a Calendar prepared by the docket clerk, in the order in which they are reported from the committees; such Calendar shall show the action of the committee upon the bill. General bills and joint resolutions upon the Calendar of "General Orders" shall be grouped together, and special and local bills shall be grouped together. All bills adversely reported shall go upon the Calendar for one day, under the head of "Bills Adversely Reported."

RULE 25. When General Orders are reached in the regular order of business, the House shall go into committee of the whole upon the Calendar for the consideration of general bills and joint resolutions in their order, unless the House shall by vote determine to go into committee of the whole upon the Calendar of local and special bills, a motion for which purpose shall be in order at such time; provided, that appropriation bills classified by the Committee on Ways and Means shall have precedence over all others; but no bill upon the Calendar, unless upon the same subject, shall be substituted for the one under consideration.

RULE 26. Any matter may be made the special order for any particular time or day, by the consent of two-thirds of the members voting, but no special order shall be made more than seven days in advance.

RULE 27. Each member shall be furnished with a copy of the daily Calendar prepared by the docket clerk, which shall include the bills on third reading, and the General Orders, and all bills unfavorably reported on the day previous.

ORDER OF PROCEEDINGS, DECORUM, ETC.

RULE 28. Petitions, memorials and any other papers addressed to the House shall be presented by a member in his place, or by the speaker.

RULE 29. Each member presenting a petition, memorial, bill or report of a committee shall indorse the same with his name or the name of the committee, and a brief statement of its subject.

RULE 30. Each member within the House, when a question is stated by the chair, shall vote thereon in his place, unless he be excused by the House. No member shall vote on a question in which he may have a personal or pecuniary interest. Any member may, on the call of his name on the adoption of any bill or resolution, when the yeas and nays are being taken, explain his vote; but he shall not be allowed for such explanation more than five minutes. Such explanation, if furnished in writing by such member upon the day said vote is taken, shall be entered upon the Journal, provided it does not contain more than 100 words.

RULE 31. Any member claiming the floor shall rise in his place and address the speaker, and shall not proceed until recognized by him. No member shall be recognized by the speaker who shall have been standing on the floor during the time any other member shall have had the floor, without such member first taking his seat and rising when he shall address the speaker. No member shall be recognized by the speaker, or be allowed to vote, unless he is at his seat at the time he wishes to speak or vote.

RULE 32. While a member is speaking, no other member shall engage in private discourse, or pass between him and the chair.

RULE 33. While the speaker is putting a question, or a vote or count is being had, no member shall speak or leave his place.

RULE 34. If any member, in speaking, transgress the rules of the House, the speaker shall, or any member may, call him to order; in which case the member so called to order shall immediately take his seat and retain it, unless he rises to explain, or proceed in order.

RULE 35. In all cases where a bill, order, motion or resolution shall be entered upon the Journal, the name of the member introducing or moving the same shall be entered.

ORDER OF DEBATE.

RULE 36. No member shall speak more than once to the same question without leave of the House, unless it be the mover, proposer or introducer of the matter pending; in which case he shall be permitted to speak in reply, but not until every member choosing to speak shall have spoken. Members may address the House from the clerk's desk, or from a place near the speaker's chair. The right of the member introducing or reporting the measure to open and close the debate shall not be affected by any order either for the previous question or that debate shall cease, but such member may occupy twenty minutes in closing the debate after the previous question is ordered or the order for debate to close has passed, and may at his option divide that time with other members; and while a member is occupying the floor he may yield it to another for explanation of the pending measure, as well as for personal explanation, or for a motion to adjourn, without losing his right to reoccupy it for the remainder of his time, whenever the pending question shall be resumed.

RULE 37. When a question shall be under consideration, no motion shall be received except as herein specified, which motions shall have precedence in the order stated, viz.:

1. For adjournment of the House.
2. For call of the House.
3. To lay on the table.
4. For the previous question.
5. To postpone to a certain time.
6. To commit to the committee of the whole.
7. To commit to a standing committee.
8. To commit to a select committee.
9. To amend.
10. To indefinitely postpone.

RULE 38. A motion to reconsider shall take precedence of all other questions except the motion to adjourn.

RULE 39. No subject different^a from that under consideration shall be admitted under color of amendment.

RULE 40. All questions relating to priority of business shall be decided without debate.

RULE 41. The motion to adjourn shall always be in order, except while a vote is being taken and until announced, or when a member has the floor, or when the previous question is pending; but a motion to *adjourn to a time certain* is not equivalent to a motion to "adjourn."

RULE 42. The yeas and nays may be taken on any question, whenever so required by any twenty-five members (unless a vote by yeas and nays be already pending), and when so taken shall be entered on the Journal.

RULE 43. A call of the House shall be ordered on the demand of any ten members, on the taking of a vote on any bill or resolution.

RULE 44. The motion to adjourn, for a call of the House and to lay on the table shall be decided without amendment or debate. The several motions to postpone or commit shall preclude all debate on the main question.

RULE 45. Every motion shall be first stated by the speaker, or read by the clerk, before debate, and again immediately before putting the question; and every motion, except those specified in the thirty-seventh and thirty-eighth rules, shall be reduced to writing, if the speaker or any member desire it; provided, that all motions to amend and all resolutions shall be reduced to writing.

RULE 46. If any question contains distinct propositions, it shall be divided by the chair, at the request of any member.

RULE 47. When different sums and times are moved in filling blanks, the question shall first be put on the largest sum and the longest time.

RULE 48. No motion for reconsideration of any vote shall be in order, unless on the same day or the following legislative day to that on which the decision proposed to be reconsidered took place, nor unless one of the majority shall move such reconsideration. A motion for reconsideration, being put and lost, shall not be renewed; nor shall any subject or vote be a second time reconsidered without unanimous consent.

RULE 49. On the demand of any member, or at the direction of the speaker, the names of members sufficient to make a quorum in the hall of the House who do not vote shall be noted by the clerk and recorded in the Journal, and reported to the speaker with the names of the members voting, and be counted and announced in determining the presence of a quorum to do any business except the final passage of a bill or a joint resolution.

ON THE PREVIOUS QUESTION.

RULE 50. The "previous question" shall be as follows: "Shall the main question be now put?" and until it is decided shall preclude all amendment or debate. When, on taking the previous question, the House shall decide that the main question shall not now be put, the main question shall be considered as still remaining under debate. The main question shall be on the passage of the bill, resolution, or other matter under consideration; but when amendments are pending, the question shall first be taken upon such amendments in their order; and when amendments have been adopted by the committee of the whole and not acted on in the House, the question shall be taken upon such amendments in like order, and without further debate or amendment.

OF BILLS, REFERENCE, PRINTING, ETC.

RULE 51. Each bill, when introduced, shall be sent to the clerk, who shall read its title. This the speaker shall announce as the first reading of the bill.

RULE 52. Upon the next day it shall be read (by its title, unless the

House shall demand its reading in full), and be referred to the appropriate standing or to a select committee.

RULE 53. All bills for the appropriation of money shall, on their second reading, be referred to the Committee on Ways and Means, unless otherwise ordered by a majority of the House.

RULE 54. All bills reported favorably by committees shall go upon the Calendar as a part of the "General Orders." A bill of a general nature favorably reported shall be printed with the report of the committee thereon, and 400 copies shall be printed. All bills of a local or special nature favorably reported shall be printed, with the report of the committee thereon, and 200 copies thereof shall be printed. If the committee report an entire bill as a substitute or propose to strike out all after the enacting clause and insert a new bill, the new bill or bill so amended shall be read a first and second time on separate days, printed, and take its place upon the Calendar under "General Orders," and the original bill shall not be printed unless the House so orders. Bills reported unfavorably shall not be printed unless ordered printed by the House.

COMMITTEE OF THE WHOLE.

RULE 55. Bills and other matters shall be considered in committee of the whole in the following manner, viz.: They shall first be read through, unless the committee shall otherwise order; and, unless the committee shall recommend that the enacting clause shall be stricken out, they shall be read and considered by sections, leaving the title to be last considered.

RULE 56. A motion to rise and report shall be in order at any stage and shall be decided without debate; and when the committee, having had a bill under consideration, rises without final action thereon, the bill shall retain its place on the Calendar.

RULE 57. If at any time when in committee of the whole House it be ascertained that there is no quorum present, the chairman shall immediately vacate the chair and report the fact to the speaker.

RULE 58. The same rules, except 36, shall be observed in the committee of the whole as in the House, so far as the same are applicable, except that the previous question and motion to lay on the table shall not apply, nor shall the yeas and nays be taken.

PROCEEDINGS SUBSEQUENT TO THE COMMITTEE OF THE WHOLE.

RULE 59. Bills reported by the committee of the whole shall still be subject to debate before the question to engross or its final passage is put. Such amendments only shall be in order as were offered in the committee of the whole, and where a bill shall be reported with the recommendation that the enacting clause be stricken out, and the report shall be agreed to by the House, it shall be considered as rejected.

RULE 60. When the committee of the whole shall have reported a bill, recommending the passage thereof, and the report of the committee has been adopted by the House, it shall be considered as ordered to engrossment and third reading without further order of the House.

RULE 61. All bills shall be engrossed in the order in which they have been ordered to be engrossed. But when a bill is written in a plain and distinct handwriting, without interlineations or erasures, or is printed, such bill may be reported by the Committee on Engrossed Bills as correctly engrossed, without causing the same to be rewritten or engrossed.

RULE 62. On the next or some subsequent day it shall be read a third time, by sections, and put upon its final passage without amendment.

RULE 63. The question upon the final passage of all bills shall be taken by yeas and nays; and the vote to concur in Senate amendments to a House bill shall be regarded as the final passage of such bill.

ON RESOLUTIONS, ETC.

RULE 64. The following class of resolutions shall lie over for one day for consideration, after which they may be called up under the appropriate order of business:

1. All concurrent resolutions.
2. Resolutions containing calls for information on the executive departments.
3. Resolutions giving rise to debate, except such as relate to the business of the day on which they are offered and such as relate to adjournment.

RULE 65. All resolutions for the printing of an extra number of any document, paper or bill shall be referred to the Committee on Printing, to consider and report thereon.

OF THE RULES.

RULE 66. No rule or order of the House shall be suspended, rescinded or changed except by a vote of two-thirds of all the members voting. Any proposed amendment of or addition to these rules shall be referred to the Committee on Rules before action is taken by the House.

RULE 67. In any case where these rules do not apply, the rules of the fifty-fifth Congress and Robert's Rules of Order shall govern.

EMPLOYEES OF THE HOUSE.

RULE 68. The following shall be the employees of the House:

Chief clerk, whose assistants shall be as follows: Assistant chief clerk, bookkeeper, journal clerk, two docket clerks, two reading clerks, one printing clerk, two stenographers, two copyists.

Sergeant-at-arms, whose assistants shall be as follows: First assistant sergeant-at-arms, six assistant sergeants-at-arms, one messenger, one cloak-room attendant, six janitors, one female attendant at ladies' toilet, one doorkeeper, who shall have four assistants.

One postmaster, who shall have the following assistants: One assistant postmaster, one mail-carrier, one telephone girl.

One House stenographer, under direction of the speaker, and six pages, all of whom shall be selected by the House on nomination of the Committee on Employees of the House.

Also, one clerk, one stenographer, and one page, to be selected by the speaker for his own use.

Also, one clerk, one stenographer and one doorkeeper for the Ways and Means Committee, to be selected by the chairman thereof, with the approval of the speaker.

One stenographer to be selected by the minority for the Committee on Assessment and Taxation, and for general use of the members of the House; also, one clerk, one page, and one assistant sergeant-at-arms, to be selected by the minority.

One stenographer to be selected by the minority for their own use.

One stenographer and one clerk for the Judiciary Committee, to be selected by the chairman thereof, with the approval of the speaker.

One stenographer for the Judiciary Local Committee, to be selected by the chairman thereof, with the approval of the speaker.

One clerk of enrolled bills.

One engrossing clerk.

One document clerk.

One clerk, who shall be a stenographer, for the Railroad Committee, to be selected by the chairman thereof.

Seven assistant sergeants-at-arms.

RULE 69. All employees shall draw pay only after being sworn in.

SMOKING PROHIBITED.

RULE 70. No person shall be allowed to smoke in the hall, or in the rooms opening into the hall, or the galleries.

Mr. Holdren of Montgomery moved that an emergency be declared, the rules suspended, and that Senate concurrent resolution No. 1, Relating to a joint committee to wait upon the governor, be adopted at this time, which motion prevailed.

Mr. Speaker Simmons thereupon appointed as members on part of the House, under the above resolution, Messrs. Holdren, Padgett, and O'Conner.

Messrs. Clark and Sourbeer offered House resolution No. 1, as follows:

WHEREAS, It has pleased Almighty God to remove by death Representatives Ferguson, of Jefferson county, and Sticher, of Woodson county,
Be it resolved, That when the House adjourns they adjourn until 10:30 A. M., Friday, January 17, 1908, in respect to their memories.

Mr. Clark moved the adoption of the resolution, which motion prevailed.

Mr. Morgan offered House resolution No. 2, as follows:

Resolved, That the chief clerk be directed to notify the Senate that the House is organized and ready for business.

Mr. Morgan moved the adoption of the resolution, which motion prevailed.

Mr. Holdren, chairman of the committee appointed to wait upon the governor, submitted the following report:

MR. SPEAKER: Your committee appointed to notify the governor that the Legislature had organized and was ready for business have performed that duty, and the governor requested this committee to inform the House that he would present his message in writing.

MESSAGE FROM THE GOVERNOR.

Homer Hoch, the governor's private secretary, then appeared before the bar of the House and delivered, by the direction of the governor, his message, in writing, as follows:

To the Senate and House of Representatives:

The work of a special session of the Legislature is in some States confined to the matters specified in the executive call, but no such limitation is put upon the powers of a Legislature in this State. Nevertheless, I feel sure you will see the propriety and wisdom of confining yourself as closely as possible to the specific things you have been called together to consider. I desire also, at the threshold of your labors, to express the hope that all appropriations, not absolutely necessary, be refused, and that all useless employees be dispensed with, and that the expenses of this extra session be reduced to the lowest possible limit. The propositions you will be asked to consider are not new propositions. New conditions give them new prominence, but they are questions with which you are familiar and upon which you are already prepared to register your votes intelligently. I am sincerely hoping that the session may not consume more than one-half of the thirty remunerative days allotted by law to an extraordinary session. It is not my purpose to discuss at any great length the propositions you have been called together to consider. These matters have all been fully discussed by me in two former biennial messages, and some of them in two special messages.

PRIMARY ELECTION.

I recommend the enactment of a primary-election law state-wide in its character, to include every state, district and county officer to be voted for in this State this year, and to include also an expression of popular

choice for United States senator, and to be operative in the selection of this year's candidates by every political party. Less than this at this time will not satisfy the people. It is peculiarly important that this enactment control this year's candidacies. It is a year when state policies for two years at least will be crystallized. The selection of a governor, for instance, is of vital importance to the people. Whether Kansas shall be kept abreast of the progressive movement for good government national in its character; whether the new civil service policy in preference to the old factional spoils system shall continue to be operative in the public service of this State; whether the state institutions which have been taken entirely out of politics shall be continued as business institutions rather than as political perquisites; whether officials in every department shall be selected for their special fitness or in payment of political obligations; whether corporate greed shall be controlled or permitted to forage at will upon the people, is largely a matter of executive determination, and all the people should have ample opportunity to pass upon these questions in the consideration of candidacies for governor this year. Then again, the Legislature, both Senate and House, is to be selected this year. The Senate will hold for four years and remain in office through two biennial sessions. The Legislature selected this year will elect next winter a United States senator who will represent this State for the next six years in the upper branch of Congress. If the people are ever to have the right to select at a direct primary all these officials now is the time for that right to be recognized. To me it seems a fundamental right. The right to select a candidate is as sacred as the right to elect an officer. The convention system disfranchises the citizen. It is not representative government at all, because in the nature of things the delegate can seldom represent any one constituent upon more than one candidacy. Let no factional or personal consideration, no pride of authorship, no past differences, have influence in this matter. The people are demanding this action at your hands.

TAX COMMISSION LAW.

The new Tax Commission law is in my judgment one of the best enactments ever put upon the statute-books of Kansas. It will prove of immense benefit to the State when it is once in successful operation. It will simplify taxation, quadruple the property statistics of the State, and ultimately greatly reduce the average taxation. This is not, as many suppose, a new law. It is in most of its features the old law given new vitality by needed amendments, but it still needs one important amendment and perhaps many of minor importance. It provides for the assessment of all property at its actual value, and for the enforcement of this provision, which indeed is not a new one but which under the old system resulted in the assessment of property at not more than one-fourth its value. This new law, which thus provides for so great an increase in valuations, unfortunately failed to provide for a proportionate decrease in possible levy. This has given rise to grave apprehensions on the part of many taxpayers lest disbursing boards take advantage of the opportunity and greatly increase the burdens of taxation. I think this fear is exaggerated, but it is well to remove it and the occasion for it by limiting the possible levy in such a way that the burdens of taxation will not be increased, but instead, decreased, as they should be under the operation of this new law. May I suggest that the new Tax Commission, composed of men of undoubted character and ability, who have given much thought to this law, who have studied it in all its phases, who have sought counsel from taxpayers in every part of the State, should be freely consulted by you in reference to any proposed amendments or changes in this new, and as yet untried, system of taxation? Fourteen States have state tax commissions very similar to ours, viz.: Alabama, Connecticut, Indiana, Maine, Maryland, Massachusetts, Michigan, New Jersey, New York, North Carolina, Tennessee, Vermont, West Virginia, and Wisconsin. Several other States manage

taxation matters through special commissions. Kansas has taken a position with the most advanced States on this subject, and I am sure it will be your pleasure to strengthen this splendid law.

DEPOSITORS' GUARANTY FUND.

The events of the last few months throughout the entire country have emphasized the need of some banking legislation that in times like these shall inspire increased confidence in depositors and prevent the unnecessary hoarding of money by banker and people alike. The so-called panic which has disturbed business conditions in every State in the Union has been a bankers' panic more than a people's panic. Apparently they have had less confidence in the people than the people have had in them, and yet under all the circumstances both have acted admirably. An anomalous financial condition exists in Nation and in State. With an abundance of money in the country, with the products of mine and farm undiminished, with all the elements of unparalleled prosperity abounding on every hand, with no real cause for it except the fictions of finance, there is an unnatural and unnecessary depression of business. Statesmen and financiers are everywhere seeking cause and cure. An asset currency, a more flexible system of finance, an increase of circulating medium through otherwise unnecessary bond issues, and various other remedies, have been suggested by the savants, but with remarkable rapidity the thinkers are turning to the simple remedy known as the depositors' guaranty fund proposition, and partly to consider this specific proposition you have been assembled in extraordinary session.

It is not primarily a bankers' proposition. It is a depositors' proposition, because there are hundreds of depositors to every banker, and their interests are really paramount. Banks are a modern necessity. They are essential not only to modern commerce, but they touch government at vital points. Among the gravest dangers of present conditions, when bankers and people alike are hoarding money, is the danger of a wave of crime. Such times multiply crooks and contribute to robberies and murders, making money and life alike insecure. It is therefore a governmental problem. But while the guaranteeing of deposits is primarily a depositors' and governmental proposition, it will contribute immensely to the peace and happiness and ultimate prosperity of the bankers as well. They have learned in recent months, better than ever before, I think, the vital importance to them of the confidence of their depositors in the safety of their deposits. To strengthen and increase this mutual confidence they have called in their balances from reserve centers, collected closely outstanding loans, made new loans sparingly and reluctantly, and piled up in their vaults a reserve unprecedented in the history of the State. This is reassuring to depositors and has largely restored confidence, but it is an abnormal condition and can only be continued to the serious detriment of all manufacturing, agricultural and large commercial interests. A depositors' guaranty law, it is believed by many of the ablest financiers, will give depositors perfect confidence in banks and permit the bankers to liberate these hoarded millions into the channels of commerce, where they are greatly needed. This guaranty proposition is a simple and fundamental one. When the individual borrows money from a bank he is properly required to give satisfactory security for it. When he loans his money to the bank, which he does when he makes a deposit, why is he not also entitled to ample security? He has the security, of course, which the character of the bank and its managers and certain provisions of the law give him, but this is not sufficient. This is not considered sufficient by the national government, which requires a deposit of bonds to secure bank note circulation; this is not considered sufficient by the State, which requires municipal bonds, dollar for dollar, to secure all of its deposits; this is not considered sufficient by the counties, which take similar precautions to protect themselves; and this does not satisfy the intelligent depositor, neither does it any longer satisfy the thoughtful banker, as the great

mass of letters and telegrams now in my possession from the bankers of Kansas asking for a depositors' guaranty law abundantly proves.

Certainly what the country has needed in this recent emergency has been confidence and not currency. There is plenty of money in the country, but it has been withdrawn from legitimate channels of trade. More than 200 millions of dollars have been withdrawn from the national banks alone of the country, and the experience of the national banks has been shared also by the state banks everywhere. What we need, therefore, is a policy that will bring all this money out of hiding back into the banks and into the channels of trade, together with the countless millions which for similar reasons have always been hoarded by timid people. I believe the depositors' guaranty law will do this.

Several measures of this kind guaranteeing deposits in national banks are pending in Congress, including a bill introduced the past week by the chairman of the committee on banks and banking in the House, Mr. Fowler, of New Jersey, a copy of which is in my possession, and similar bills by Mr. Reeder and Mr. Campbell, of this State, Mr. Norris, of Nebraska, Mr. Davidson, of Wisconsin, and others. Should Congress pass a depositors' guaranty law, it would, of course, relate only to national banks, and in Kansas would benefit only 200 of our 900 banks, while the proposed state law would include national as well as state banks. The chief opposition among the bankers of this State, as the correspondence of this office will show, has come from national bankers, largely growing out of the impression that the Comptroller of the Currency would not permit them to participate in the benefits of a state depositors' guaranty law, thus giving the state banks, as they are frank to say, an advantage over them. This is indirectly a very strong argument in favor of the proposed legislation, for such a law could not give the state banks an advantage unless it strengthened the confidence of depositors in them; and is it possible that the State should for any reason withhold from 700 of its own institutions any public confidence which the law can confer? Suppose Congress should pass a law for the exclusive benefit of national banks. In what predicament would the state banks then find themselves? Is not our proposition far more just and fair, inasmuch as it proposes to admit national as well as state banks to participate in its benefits? I have direct information from the Comptroller, bearing date of January 13, that the right of national banks to participate in a state guaranty law has not been decided and that no ruling of this kind has been made by the Comptroller of the Currency, and I have received a long letter, under date of January 11, from ex-Comptroller Dawes, favoring this guaranty proposition. It is my desire that both national and state banks shall equally share the benefits, and it goes without saying that any law enacted should contain this provision. Let the participation under this law be voluntary, but let it apply to all banks, both national and state.

The necessity for immediate action in this matter, creating an emergency alone justifying this extra session, in addition to the financial considerations discussed above, is found in the fact that our sister State of Oklahoma has enacted a depositors' guaranty law, to take effect in a few weeks, jeopardizing the deposits of many of our border banks and indeed many of our interior banks, as these bankers themselves write me. Prompt action on your part for their sakes seems imperative.

Some plausible and sincere objections are urged to this proposed law, but I must be pardoned for believing that none of them will stand the test of a careful analysis. Nearly all of these objections have been satisfactorily answered by eminent bankers and financiers. The chief contention is that guaranteeing deposits will put poor bankers and good bankers upon a common level and make the good responsible for the bad; that it will multiply wildcat bankers and contribute to loose banking methods. I think it would do the very reverse of this. It would make such a community of interests between the bankers that they would help to see to it that every needed safeguard was thrown around the banking business, that all loose methods were eliminated, and that the banking

laws would be strengthened in every possible way, because it would be to their interest to do so. The good bankers often know when bad methods are being employed by other banks, and would see to it that these practices were stopped by promptly informing the Comptroller or Bank Commissioner. They often possess a knowledge which the ordinary citizen does not possess, and under this new system it would be to their interest to use this knowledge for mutual and common good. This new attitude of the bankers themselves, which would be brought about by the law, would in itself be a strong safeguard against any wildcat banking. But, in addition to this, a further safeguard has been suggested, which seems to me eminently wise, by providing in the law that all deposits drawing over three per cent. interest—or any other fixed per cent. which you may think wise—should not be protected by this guaranty fund. This limitation would prevent the wildcat banker from taking interest-bearing deposits away from his competitor by offering a higher rate of interest than his conservative competitor would give.

In addition to all this, this knitting together of banking interests would result in a demand upon the part of bankers themselves for the eradication of many present abuses of the banking system, including, I think, the borrowing of large sums by directors and officers from their own banks, the organization of an unlimited chain of banks by one individual, and would result also in more frequent and thorough investigations of banks and banking methods.

The urgent demand for this law and for the calling of this special session to enact it has come to me from every part of the State and represents every business interest. One petition alone from Wichita contains the names of wholesalers and jobbers exclusively whose annual business aggregates between fifteen and twenty million dollars. Merchants and manufacturers have joined in the demand, while the farmers and laborers are equally insistent.

The people want this law, and to fail to pass it at this time is by no means to settle the subject. It would only prolong the controversy. It would project it into the coming campaign, to be discussed in all of its phases from every stump, to the disturbance of business and to the detriment of the banks. I beg you to pass this law for the benefit of depositors, bankers, and all forms of business alike.

THE RAILROAD PROBLEM.

Perhaps no State in the Union has put upon its statute-books in the last three years as many laws in the interest of the people in their relation to transportation companies as has the State of Kansas. And it is a significant fact that in all of my vast correspondence in relation to this extra session of the Legislature not a single letter or telegram has been received asking for additional railroad legislation. The enactment of the anti-pass law by the last Legislature, the material strengthening of the railroad law by that body, the enlargement of the powers of the Board of Railroad Commissioners, the liberal appropriation made for the enforcement of its mandates, the putting into effect of a two-cent passenger rate since the adjournment of the Legislature, and the preparation by the Board of Railroad Commissioners of a carefully-considered freight-rate schedule, seems to have satisfied the people that the administration means to do everything possible to protect them against corporate injustice and greed. The importance of this freight-rate subject cannot be overestimated. It is of immense magnitude and has a vital interest to the people of the State, but its very importance emphasizes the necessity for deliberation coupled with vigor and determination in its consideration. The elaborate schedule of freight rates prepared with the aid of experts is now ready for the judicial hearing contemplated by law, and this hearing is soon to occur. The new Board of Railroad Commissioners has rapidly grown in popular favor. Its attorney is recognized as one of the ablest and most conscientious lawyers in the State, and the work of righting recognized discriminations

and wrongs is progressing as rapidly as can reasonably be expected. I doubt the wisdom of projecting this matter—requiring time and great care for equitable consideration—into the hasty councils of an extra session of the Legislature. I am a firm believer in the commission system of dealing with the transportation problem, because it affords ample time for its thorough study and for the mastery of its intricate details. The schedule of freight rates referred to above has been prepared by the board with great care, and yet even the board is not sure that it is absolutely just in all of its items. A patient hearing is soon to be had, and this hearing not only involves the interests of the railroad companies, which are entitled to a respectful and patient hearing, but it involves many conflicting interests of jobbers, river and interior points, and other interests peculiar to the people of the State themselves. All these matters must be heard and decided by the board before the schedule is complete, and all this intensifies my belief that it is not practicable to attempt to pass upon all these questions at this brief special session, when these other and more pressing matters demand attention. I think, however, when the work of the board is finally completed and it orders its schedule of rates into operation it should be put into operation by the railroad companies without delay, and I recommend the enactment of a law providing a sufficient penalty for failure to obey the final mandate of the board, said penalty to be paid if the order of the board stands the final test of the courts, and to be remitted if it does not. I am sure the people have nothing to fear in leaving this matter in the hands of the Board of Railroad Commissioners and its attorney, backed by the whole State administration and by the new enactment suggested.

Since the adjournment of the regular session a two-cent passenger fare rate has been secured upon all the railroads in this State. Counsel for the corporations contend that the Board of Railroad Commissioners had no legal right to change a statutory passenger rate, and this proposition will no doubt be seriously argued by them in the courts. This question should be settled upon its merits and not upon a technicality. While I have no doubt myself of the legality of the order of the board, nevertheless I recommend that you remove this phase of the question from controversy by the enactment of a straight two-cent passenger fare law and incidentally the repeal of the mileage-book law.

LAW ENFORCEMENT.

Prohibition of the liquor traffic, which has been the policy of this State for twenty-seven years, grows in favor not only here but everywhere. Our example has been followed until more than half the territory of the United States and more than half the people are now under its dominion. This policy has been of incalculable benefit to Kansas, morally and financially. The law was never so well enforced as it is to-day. Experience, however, has demonstrated the need of a few additional provisions of law on the subject, and these will be submitted to you in a bill carefully prepared by the legal department of the state, which I hope you will promptly enact into law.

CONCLUSION.

I have been urged to recommend some other legislation, including a much-needed amendment to the excellent pure food law, an amendment to the National Guard law quite important to bring our military department into harmony with the new national law known as the Dick bill, an enactment conferring upon the women of Kansas the right to vote for President this year, which eminent lawyers say can be done by statute, and other legislation more or less important. With all these propositions I am in hearty sympathy, but I would only recommend them on condition that no considerable time would be consumed in their discussion; and I must continue to insist that the consideration of these or any other questions should not cloud or hamper the prompt settlement of the specific things you have been called together to consider.

Respectfully submitted.

E. W. HOCH.

At this point the sergeant-at-arms announced that the president of the Senate and senators were at the door. The speaker instructed the sergeant to admit them. Thereupon Governor Haskell, of Oklahoma, by invitation, addressed the joint assemblage of the Legislature. Governor Hoch, being also called forth, responded with a brief address, at the conclusion of which the senators withdrew.

INTRODUCTION OF BILLS.

The following bills were introduced and read the first time:

By Mr. Leland: House bill No. 1, An act to repeal sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, of chapter 408 of the Session Laws of 1907 of the state of Kansas.

Also, House bill No. 2, An act to reenact sections 7550, 7551, 7552, 7564, 7565, 7566, 7585, 7586, 7588, 7592, 7608 and 7609, General Statutes of Kansas, 1901.

By Mr. Bird: House bill No. 3, An act authorizing the board of county commissioners of Shawnee county, Kansas, to sell the fair-grounds belonging to Shawnee county and to purchase other land with the proceeds of such sale, or to purchase other land to enlarge the present fair-grounds and to levy a tax for the purpose of purchasing additional lands, if found necessary, and the erection of permanent buildings and improvements on such fair-grounds, and repealing chapter 161 of the Laws of 1907.

Also, House bill No. 4, An act relating to the taxation of mortgages and mortgaged real estate.

Also, House bill No. 5, An act relating to sleeping-car rates in the state of Kansas.

Also, House bill No. 6, An act amendatory of and repealing section 1 of chapter 324 of the Laws of 1903, entitled "An act to provide for the extermination of pocket-gophers or gray ground-squirrels, and fixing a bounty for the same."

By Mr. Davidson: House bill No. 7, An act relating to the guaranty of bank deposits.

By Mr. Montee: House bill No. 8, An act to amend section 1365 of the General Statutes of 1901, relating to appointment of commissioners in condemnation proceedings.

Also, House bill No. 9, An act to repeal section 6, chapter 153, of the Session Laws of 1901.

By Mr. Kirtland: House bill No. 10, An act concerning assessment and taxation and to limit the levy of taxes in the several taxing districts of the state of Kansas, and to limit the creation of municipal indebtedness in the state, and to punish officers for the violation of this act, and to repeal all acts and parts of acts in conflict herewith.

By Mr. Cunningham: House bill No. 11, An act to amend section 1 of chapter 75 of the Session Laws of 1907, the same

being entitled "An act to authorize and empower the board of county commissioners of Cowley county, Kansas, to build a bridge across the Arkansas river, in Cowley county, Kansas," and to repeal said original section 1.

By Mr. Mayhew: House bill No. 12, An act authorizing and empowering the board of trustees of any county high school in the state of Kansas to secure by condemnation or otherwise real estate for the purpose of establishing an athletic park to be used in connection with such county high school, and vesting the title to such real estate in the county.

By Mr. Morgan of Reno: House bill No. 13, An act providing for the security of depositors in the incorporated state banks of Kansas, creating the state bank depositor's guaranty fund of the state of Kansas, and providing regulations therefor.

By Mr. Rhodes: House bill No. 14, An act to amend section 1, chapter 68, Session Laws, 1903, relating to banks and banking.

By Mr. Husey: House bill No. 15, An act appropriating money for the payment of the pension of Harry Parks.

By Mr. Mitchell: House bill No. 16, An act to authorize the board of education of the city of Lawrence, in Douglas county, Kansas, to increase the rate of interest upon a certain bond issue.

Also, House bill No. 17, An act to amend section 19 of chapter 408 of the Session Laws of 1907.

By Mr. Stubbs: House bill No. 18, An act relating to primary elections, providing for the organization and government of political parties, repealing chapter 115, Laws of 1891, and all other acts and parts of acts in conflict herewith, and prescribing and fixing penalties for the violation hereof.

By Mr. Umholtz: House bill No. 19, An act to guarantee the deposits in banks, trust companies, and other banking institutions, creating a fund for that purpose, establishing a state banking board to control the same, providing punishments for the violation of this act, and repealing all acts and parts of acts in conflict herewith.

By Mr. Lehman: House bill No. 20, An act relating to the stopping of passenger-trains for receiving and letting off passengers at railroad stations in towns and cities in Labette county, Kansas, having a population of 1000 or more.

Also, House bill No. 21, An act amending sections 18 and 19 of chapter 408 of the Session Laws of 1907.

By Mr. Cottingham: House bill No. 22, An act to legalize the issue of certain bonds by the city of Winfield.

Also, House bill No. 23, An act to amend section 1 of chapter 164 of the Laws of Kansas, 1905.

Also, House bill No. 24, An act to amend section 2 of chapter 74 of the Session Laws of 1907.

Also, House bill No. 25, An act to amend section 2 of chapter 76 of the Session Laws of 1907.

By Mr. Ham: House bill No. 26, An act to amend section 5980 of the General Statutes of Kansas of 1901, and to repeal said original section.

Also, House bill No. 27, An act relating to intoxicating liquors and supplemental to chapter 339 of the Laws of 1903.

Also, House bill No. 28, An act relating to intoxicating liquors, and supplemental to article 14, chapter 31, of the General Statutes of 1901.

By Mr. Enright: House bill No. 29, An act conferring upon women the right to vote at city elections and to hold certain offices.

Also, House bill No. 30, An act fixing the time for holding the regular terms of the district court and the court of common pleas of Wyandotte county.

By Mr. Stone: House bill No. 31, An act to amend section 1, chapter 120, of the Session Laws of 1907, and repealing said original section.

By Mr. Davidson: House bill No. 32, An act to amend section 8, chapter 495, Session Laws of 1905, being an act entitled "An act for the protection of domestic animals, and repealing sections 7421 and 7423 and article 10 of chapter 105 of the Compiled Laws of Kansas of 1901 and all acts and parts of acts in conflict herewith, and providing penalties for the violation thereof."

Mr. Morgan moved that an emergency be declared, the rules suspended, and all the above bills be read the second time and referred to their proper committees, which motion prevailed.

The bills were thereupon read the second time and referred as follows:

Assessment and Taxation:

House bill No. 1, An act to repeal sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, of chapter 408 of the Session Laws of 1907 of the state of Kansas.

House bill No. 2, An act to reenact sections 7550, 7551, 7552, 7564, 7565, 7566, 7585, 7586, 7588, 7592, 7608 and 7609, General Statutes of Kansas, 1901.

House bill No. 4, An act relating to the taxation of mortgages and mortgaged real estate.

House bill No. 10, An act concerning assessment and taxation and to limit the levy of taxes in the several taxing districts of the state of Kansas, and to limit the creation of municipal indebtedness in the state, and to punish officers for the violation of this act, and to repeal all acts and parts of acts in conflict herewith.

House bill No. 17, An act to amend section 19 of chapter 408 of the Session Laws of 1907.

House bill No. 21, An act amending sections 18 and 19 of chapter 408 of the Session Laws of 1907.

Judiciary Local:

House bill No. 3, An act authorizing the board of county commissioners of Shawnee county, Kansas, to sell the fair-grounds belonging to Shawnee county and to purchase other land with the proceeds of such sale, or to purchase other land to enlarge the present fair-grounds and to levy a tax for the purpose of purchasing additional lands, if found necessary, and the erection of permanent buildings and improvements on such fair-grounds, and repealing chapter 161 of the Laws of 1907.

House bill No. 9, An act to repeal section 6, chapter 153, of the Session Laws of 1901.

House bill No. 11, An act to amend section 1 of chapter 75 of the Session Laws of 1907, the same being entitled "An act to authorize and empower the board of county commissioners of Cowley county, Kansas, to build a bridge across the Arkansas river, in Cowley county, Kansas," and to repeal said original section 1.

House bill No. 15, An act appropriating money for the payment of the pension of Harry Parks.

House bill No. 16, An act to authorize the board of education of the city of Lawrence, in Douglas county, Kansas, to increase the rate of interest upon a certain bond issue.

House bill No. 22, An act to legalize the issue of certain bonds by the city of Winfield.

House bill No. 23, An act to amend section 1 of chapter 164 of the Laws of Kansas, 1905.

House bill No. 24, An act to amend section 2 of chapter 74 of the Session Laws of 1907.

House bill No. 25, An act to amend section 2 of chapter 76 of the Session Laws of 1907.

House bill No. 30, An act fixing the time for holding the regular terms of the district court and the court of common pleas of Wyandotte county.

Railroads:

House bill No. 5, An act relating to sleeping-car rates in the state of Kansas.

House bill No. 20, An act relating to the stopping of passenger-trains for receiving and letting off passengers at railroad stations in towns and cities in Labette county, Kansas, having a population of 1000 or more.

House bill No. 26, An act to amend section 5980 of the General Statutes of Kansas of 1901, and to repeal said original section.

Agriculture:

House bill No. 6, An act amendatory of and repealing section 1 of chapter 324 of the Laws of 1903, entitled "An act to provide for the extermination of pocket-gophers or gray ground-squirrels, and fixing a bounty for the same."

Banks and Banking:

House bill No. 7, An act relating to the guaranty of bank deposits.

House bill No. 13, An act providing for the security of depositors in the incorporated state banks of Kansas, creating the state bank depositor's guaranty fund of the state of Kansas, and providing regulations therefor.

House bill No. 14, An act to amend section 1, chapter 68, Session Laws, 1903, relating to banks and banking.

House bill No. 19, An act to guarantee the deposits in banks, trust companies, and other banking institutions, creating a fund for that purpose, establishing a state banking board to control the same, providing punishments for the violation of this act, and repealing all acts and parts of acts in conflict herewith.

Judiciary:

House bill No. 8, An act to amend section 1365 of the General Statutes of 1901, relating to appointment of commissioners in condemnation proceedings.

House bill No. 12, An act authorizing and empowering the board of trustees of any county high school in the state of Kansas to secure by condemnation or otherwise real estate for the purpose of establishing an athletic park to be used in connection with such county high school, and vesting the title to such real estate in the county.

House bill No. 29, An act conferring upon women the right to vote at city elections and to hold certain offices.

Elections:

House bill No. 18, An act relating to primary elections, providing for the organization and government of political parties, repealing chapter 115, Laws of 1891, and all other acts and parts of acts in conflict herewith, and prescribing and fixing penalties for the violation hereof.

Temperance:

House bill No. 27, An act relating to intoxicating liquors, and supplemental to chapter 339 of the Laws of 1903.

House bill No. 28, An act relating to intoxicating liquors, and supplemental to article 14, chapter 31, of the General Statutes of 1901.

Cities of the First Class:

House bill No. 31, An act to amend section 1, chapter 120, of the Session Laws of 1907, and repealing said original section.

Live Stock:

House bill No. 32, An act to amend section 8, chapter 495, Session Laws of 1905, being an act entitled "An act for the protection of domestic animals, and repealing sections 7421 and 7423 and article 10 of chapter 105 of the Compiled Laws

of Kansas of 1901 and all acts and parts of acts in conflict herewith, and providing penalties for the violation thereof."

Mr. Morgan moved that the rules be suspended, and that 1000 copies of the following bills be printed: Nos. 1, 2, 7; 10, 13, 17, 18, 19, 26, 27, 28. Motion prevailed.

Mr. Morgan moved that the House do now adjourn till Friday, January 17, 10:30 A. M., which motion prevailed.

SECOND DAY.

MORNING SESSION.

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KAN., January 17, 1908—10:30 A. M.

The House convened, with Speaker Simmons in the chair.

The roll was called, and 119 gentlemen were present and answered to their names.

Gentlemen absent were: Messrs. Cradbock, Creech, and Martin.

Mr. Creech was absent by leave.

Quorum present.

Prayer by the chaplain.

READING AND CORRECTION OF THE JOURNAL.

Mr. Pomeroy moved that the rules be suspended and the further reading of the Journal be dispensed with, and that the same be referred to the Committee on Supervision of the Journal, which motion prevailed.

RESOLUTIONS.

Mr. Crumly offered House resolution No. 3, Relating to the introduction of House bills.

By unanimous consent, Mr. Crumly withdrew the above resolution.

Mr. Crumly offered House concurrent resolution No. 2, Relating to the introduction of bills.

Mr. Crumly moved that an emergency be declared, the rules suspended, and that House concurrent resolution No. 2 be read the second time, which motion did not prevail.

Mr. Morgan offered House concurrent resolution No. 3, Relating to the introduction of bills.

Mr. Morgan moved that the rules be suspended, an emergency declared, and that House concurrent resolution No. 3 be read the second time, which motion prevailed.

House concurrent resolution No. 3:

Be it resolved by the House of Representatives, the Senate concurring therein, That the introduction of bills in either house cease at noon Saturday, January 18, except bills introduced by committees,

was thereupon read the second time.

Mr. Morgan moved the adoption of the resolution, which motion prevailed.

JOINT RESOLUTIONS.

Mr. Stone offered House joint resolution No. 1, Relating to the election of United States senators.

House joint resolution No. 1 was read the first time.

Mr. Stone moved that an emergency be declared, the rules suspended, and that House joint resolution No. 1 be read the second time, which motion prevailed.

House joint resolution No. 1, Relating to the election of United States senators, was thereupon read the second time and referred to the Committee on Federal Relations.

INTRODUCTION OF BILLS.

The following bills were introduced and read the first time:

By Mr. Kiff: House bill No. 33, An act relating to the sale of intoxicating liquors, to amend section 2476 of the General Statutes of Kansas of 1901, relating to the payment of costs in cases brought by the assistant attorney-generals.

Also, House bill No. 34, An act to amend section 1627 of the General Laws of 1901.

By Mr. Kinnison: House bill No. 35, An act relating to terms of court in the thirty-second judicial district, and repealing all acts and parts of acts in conflict herewith.

By Mr. Gants: House bill No. 36, An act to authorize the board of county commissioners of Osage county to erect a bridge across the Marais des Cygnes river.

By Mr. Flanigan: House bill No. 37, An act authorizing the city of Oberlin, Kan., to refund twenty-five thousand dollars of bonds issued by it on the 1st day of September, A. D. 1888.

By Mr. Creech: House bill No. 38, An act to provide for a recording tax on mortgages on real property, and for their exemption from taxation after being recorded, regulating the effect of non-payment of recording tax, and providing for the apportionment of the proceeds of such taxes.

By Mr. Foley: House bill No. 39, An act relating to certain corporate acts of the First State Bank of Larned, Kan.

Also, House bill No. 40, An act authorizing Mitchell township, in Rice county, Kansas, to take and appropriate a sum, not to exceed the sum of one thousand dollars, out of the general fund of said township, and to use the same in the erection and furnishing of a township hall.

By Mr. Cottingham: House bill No. 41, An act to authorize the city of Winfield, in Cowley county, to issue its bonds for the purpose of paying for the operation, improvement and extension of its water-works plant.

Mr. Mr. Milligan: House bill No. 42, An act to amend sections 4, 8, 9 and 10 of chapter 382 of the Session Laws of 1907, and to repeal said original sections 4, 8, 9 and 10 of said chapter 382 of the Laws of 1907.

By Mr. Enright: House bill No. 43, An act to create the circuit court of Wyandotte county, to define the powers and jurisdiction of such court and of the judge thereof, to provide for the holding of the terms of such court and for the transfer from the district court and court of common pleas of Wyandotte county of certain actions to said circuit court and from the circuit court to the district court and the court of common

pleas, and for the appointment and election of a judge and clerk thereof.

Also, House bill No. 44, An act to enable cities of the first class having a population of more than 50,000 to refund their indebtedness, and providing penalties for the violation thereof.

Also, House bill No. 45, An act relating to the acquisition and operation by cities of the first class having more than 50,000 population of the water-works supply plant and property of any person, company or corporation, in any case where the franchise of such person, company or corporation to supply any such city of the first class with water has expired or may hereafter expire.

Also, House bill No. 46, An act relating to cities of the first class having a population of more than 50,000, and providing for and authorizing tax lexies in such cities.

Also, House bill No. 47, An act relating to cities of the first class having a population of more than 50,000, and concerning the improvement of streets, avenues and alleys, and repealing chapter 112 of the Laws of 1905 and chapter 116 of the Laws of 1907.

By Mr. Leydig: House bill No. 48, An act removing and excluding certain real estate from the city of El Dorado, Kan.

By Mr. Price: House bill No. 49, An act fixing the metes and bounds of the city of Oakley, Logan county, Kansas.

By Mr. Miller: House bill No. 50, An act apportioning the state of Kansas into representative districts.

By Mr. Bird: House bill No. 51, An act prohibiting the manufacture, sale, keeping or offering for sale certain adulterated foods, and supplemental to chapter 266 of the Session Laws of 1907.

By Mr. Stubbs: House bill No. 52, An act to amend section 18, chapter 408, of the Session Laws of 1907, and to repeal said original section 18.

Also, House bill No. 53, An act to establish a legislative reference department of the state library, and to provide for the drafting of bills for members of the Legislature, and for the gathering of information relating to legislation in this and other states, and making appropriation therefor.

By Committee on Assessment and Taxation: House bill No. 54, An act concerning assessment and taxation, and to amend section 17 of chapter 408 of the Session Laws of 1907, and to repeal sections 7611 and 7702 of the General Statutes of 1901.

Also, House bill No. 55, An act concerning assessment and taxation, and to amend section 12, article 3, of chapter 107, of the General Statutes of 1901, being section 7515 thereof.

Also, House bill No. 56, An act to amend sections 3, 4 and 10 of chapter 502 of the Session Laws of 1905, and to provide for the assessment and valuation for purposes of taxation of telephone companies, oil pipe-line companies and gas pipe-line

companies which are local in their character and confined to the limits of a single county.

By Mr. Holdren: House bill No. 57, An act relating to private corporations, providing the terms and conditions of the sale and distribution of natural gas from Kansas gas fields, and providing remedies for its enforcement and penalties for a violation thereof, and repealing all laws or parts of laws in conflict herewith.

SECOND READING AND REFERENCE OF BILLS.

Mr. Cunningham moved that an emergency be declared, the rules suspended, and that the bills be placed on second reading and referred to the proper committees, which motion prevailed. Whereupon the following bills were read the second time and referred to the committees indicated:

Temperance:

House bill No. 33, An act relating to the sale of intoxicating liquors, to amend section 2476 of the General Statutes of Kansas of 1901, relating to the payment of costs in cases brought by the assistant attorney-generals.

Printing:

House bill No. 34, An act to amend section 1627 of the General Laws of 1901.

Judiciary Local:

House bill No. 35, An act relating to terms of court in the thirty-second judicial district, and repealing all acts and parts of acts in conflict herewith.

House bill No. 36, An act to authorize the board of county commissioners of Osage county to erect a bridge across the Marais des Cygnes river.

House bill No. 37, An act authorizing the city of Oberlin, Kan., to refund twenty-five thousand dollars of bonds issued by it on the 1st day of September, A. D. 1888.

House bill No. 39, An act relating to certain corporate acts of the First State Bank of Larned, Kan.

House bill No. 40, An act authorizing Mitchell township, in Rice county, Kansas, to take and appropriate a sum, not to exceed the sum of one thousand dollars, out of the general fund of said township, and to use the same in the erection and furnishing of a township hall.

House bill No. 41, An act to authorize the city of Winfield, in Cowley county, to issue its bonds for the purpose of paying for the operation, improvement and extension of its water-works plant.

House bill No. 43, An act to create the circuit court of Wyandotte county, to define the powers and jurisdiction of such court and of the judge thereof, to provide for the holding of the terms of such court, and for the transfer from the district court and court of common pleas of Wyandotte county of

certain actions to said circuit court and from the circuit court to the district court and the court of common pleas, and for the appointment and election of a judge and clerk thereof.

House bill No. 48, An act removing and excluding certain real estate from the city of El Dorado, Kan.

House bill No. 49, An act fixing the metes and bounds of the city of Oakley, Logan county, Kansas.

Assessment and Taxation:

House bill No. 38, An act to provide for a recording tax on mortgages on real property, and for their exemption from taxation after being recorded, regulating the effect of non-payment of recording tax, and providing for the apportionment of the proceeds of such taxes.

House bill No. 52, An act to amend section 18, chapter 408, of the Session Laws of 1907, and to repeal said original section 18.

Cities of the First Class:

House bill No. 44, An act to enable cities of the first class having a population of more than 50,000 to refund their indebtedness, and providing penalties for the violation thereof.

House bill No. 45, An act relating to the acquisition and operation by cities of the first class having more than 50,000 population of the water-works supply plant and property of any person, company or corporation, in any case where the franchise of such person, company or corporation to supply any such city of the first class with water has expired or may hereafter expire.

House bill No. 46, An act relating to cities of the first class having a population of more than 50,000, and providing for and authorizing tax levies in such cities.

House bill No. 47, An act relating to cities of the first class having a population of more than 50,000, and concerning the improvement of streets, avenues and alleys, and repealing chapter 112 of the Laws of 1905 and chapter 116 of the Laws of 1907.

Hygiene and Public Health:

House bill No. 42, An act to amend sections 4, 8, 9 and 10 of chapter 382 of the Session Laws of 1907, and to repeal said original sections 4, 8, 9 and 10 of said chapter 382 of the Laws of 1907.

House bill No. 51, An act prohibiting the manufacture, sale, keeping or offering for sale certain adulterated foods, and supplemental to chapter 266 of the Session Laws of 1907.

Legislative Apportionment:

House bill No. 50, An act apportioning the state of Kansas into representative districts.

Ways and Means:

House bill No. 53, An act to establish a legislative reference department of the state library, and to provide for the drafting of bills for members of the Legislature, and for the gathering of information relating to legislation in this and other states, and making appropriation therefor.

Oil and Gas:

House bill No. 57, An act relating to private corporations, providing the terms and conditions of the sale and distribution of natural gas from Kansas gas fields, and providing remedies for its enforcement and penalties for a violation thereof, and repealing all laws or parts of laws in conflict herewith.

Committee of the Whole:

House bill No. 54, An act concerning assessment and taxation, and to amend section 17 of chapter 408 of the Session Laws of 1907, and to repeal sections 7611 and 7702 of the General Statutes of 1901.

House bill No. 55, An act concerning assessment and taxation, and to amend section 12, article 3, of chapter 107, of the General Statutes of 1901, being section 7515 thereof.

House bill No. 56, An act to amend sections 3, 4 and 10 of chapter 502 of the Session Laws of 1905, and to provide for the assessment and valuation for purposes of taxation of telephone companies, oil pipe-line companies and gas pipe-line companies which are local in their character and confined to the limits of a single county.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed by the Senate to inform the House that the Senate has passed Senate bill No. 4, An act to authorize the board of education of the city of Lawrence, in Douglas county, Kansas, to increase the rate of interest upon certain bond issue.

The same is herewith transmitted. W. S. KRETSINGER, *Secretary*.

The above Senate bill was thereupon read the first time.

Mr. Mitchell moved that Senate bill No. 4 be substituted for House bill No. 16, and that an emergency be declared, the rules suspended, and that Senate bill No. 4 be read the second time, which motion prevailed.

Senate bill No. 4, An act to authorize the board of education of the city of Lawrence, in Douglas county, Kansas, to increase the rate of interest upon a certain bond issue, was thereupon read the second time and referred to the Committee on Judiciary Local.

Mr. Cunningham moved that the House take a recess until two P. M., which motion prevailed.

AFTERNOON SESSION.

The House reconvened at two o'clock P. M., with Speaker Simmons in the chair.

INTRODUCTION OF BILLS.

By unanimous consent, the following bills were introduced and read the first time:

By Mr. Padgett: House bill No. 58, An act to amend paragraph 1124 of the General Statutes of Kansas, 1901, concerning quarterly statement to be made by city councils in cities of the third class, and repealing said paragraph 1124, General Statutes of Kansas, 1901.

By Mr. Pohlman: House bill No. 59, An act authorizing any county to aid in the development of its natural resources.

By Mr. Stubbs: House bill No. 60, An act to regulate the employment of legislative lobby counsel and agents, to provide for the return of legislative expenses incurred by or in behalf of such legislative lobby counsel and agents, to prohibit such legislative counsel and agents from attempting to influence members of the Legislature other than by appearance before the committees thereof, and prescribing and fixing penalties for the violation of this act.

By Mr. Kinnison: House bill No. 61, An act transferring certain money from the state treasurer to the county of Finney.

By Mr. Finley: House bill No. 62, An act providing for the collection and distribution of highway-labor tax, and prescribing the duties of deputy township assessors and other officers in connection therewith.

Also, House bill No. 63, An act to encourage the erection of mills and factories and the manufacture of sugar and syrup out of sorghum cane and sugar-beets, and authorizing townships and cities of the second and third class to subscribe for stock in sugar factories and to vote bonds therefor, and to amend section 1 of chapter 106a, General Statutes of 1901.

By Mr. Lander: House bill No. 64, An act authorizing the city of Marquette, a city of the third class, situated in the county of McPherson and state of Kansas, to issue bonds to fund floating indebtedness.

By Mr. Saunders: House bill No. 65, An act to amend section 1 of chapter 274 of the Session Laws of the state of Kansas of 1907.

Also, House bill No. 66, An act requiring railway and railroad companies to permit passengers to ride upon freight trains, who are provided with tickets or who tender the fare for such service.

By Mr. Oshant: House bill No. 67, An act empowering the Board of Railroad Commissioners, upon complaint, to investigate all express rates charged by express companies within the state of Kansas, and directing such investigation to be

made, and to change any rate or rates or classification and substitute therefor a reasonable rate or rates or classification.

By Mr. Padgett: House bill No. 68, An act to regulate the maintenance of railway road-bed and tracks within the state of Kansas, and to insure the safety of railway travelers and employees.

Also, House bill No. 69, An act repealing paragraphs Nos. 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1283, 1284 and 1311 of the General Statutes of 1901, and chapter 150, Laws of 1903.

By Mr. Wheeler: House bill No. 70, An act to prevent filthy practices in passenger-coaches and cars, and prescribing penalties for the violation thereof.

By Mr. Chatten: House bill No. 71, An act regulating the meetings of the board of county commissioners of Barton county, Kansas.

By Mr. Holdren: House bill No. 72, An act to amend section 6467 of the Compiled Laws of 1901, relating to the establishment of agencies at the county seat in each county in this state, and in cities of the first and second class, for the handling, sale and exchange of school-books provided for in said section 6467.

Also, House bill No. 73, An act relating to territory outside of the city limits of cities of the first class but adjacent thereto, and providing for the manner of holding elections for election of members of the board of education in territory attached to cities of the first class for school purposes and for the payment of the expenses of such elections.

By Mr. Guyer: House bill No. 74, An act to repeal chapter 422 of the Session Laws of 1907.

Mr. Davison moved that an emergency be declared, the rules suspended, and that all the above bills except Nos. 73 and 74 be read the second time, which motion prevailed. The following bills were thereupon read the second time, and referred to the committees indicated:

Judiciary:

House bill No. 59, An act authorizing any county to aid in the development of its natural resources.

House bill No. 60, An act to regulate the employment of legislative lobby counsel and agents, to provide for the return of legislative expenses incurred by or in behalf of such legislative lobby counsel and agents, to prohibit such legislative counsel and agents from attempting to influence members of the Legislature other than by appearance before the committees thereof, and prescribing and fixing penalties for the violation of this act.

House bill No. 63, An act to encourage the erection of mills and factories and the manufacture of sugar and syrup out of sorghum cane and sugar-beets and authorizing townships and

cities of the second and third class to subscribe for stock in sugar factories and to vote bonds therefor, and to amend section 1 of chapter 106a, General Statutes of 1901.

Judiciary Local:

House bill No. 61, An act transferring certain money from the state treasurer to the county of Finney.

House bill No. 64, An act authorizing the city of Marquette, a city of the third class, situated in the county of McPherson and state of Kansas, to issue bonds to fund floating indebtedness.

House bill No. 71, An act regulating the meetings of the board of county commissioners of Barton county, Kansas.

Assessment and Taxation:

House bill No. 62, An act providing for the collection and distribution of highway-labor tax, and prescribing the duties of deputy township assessors and other officers in connection therewith.

Railroads:

House bill No. 65, An act to amend section 1 of chapter 274 of the Session Laws of the state of Kansas of 1907.

House bill No. 66, An act requiring railway and railroad companies to permit passengers to ride upon freight trains, who are provided with tickets or who tender the fare for such service.

House bill No. 67, An act empowering the board of railroad commissioners upon complaint to investigate all express rates charged by express companies within the state of Kansas, and directing such investigation to be made, and to change any rate or rates or classification and substitute therefor a reasonable rate or rates or classification.

House bill No. 68, An act to regulate the maintenance of railway road-bed and tracks within the state of Kansas, and to insure the safety of railway travelers and employees.

Private Corporations:

House bill No. 69, An act repealing paragraphs Nos. 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1283, 1284 and 1311 of the General Statutes of 1901, and chapter 150, Laws of 1903.

Hygiene and Public Health:

House bill No. 70, An act to prevent filthy practices in passenger-coaches and cars, and prescribing penalties for the violation thereof.

Education:

House bill No. 72, An act to amend section 6467 of the Compiled Laws of 1901, relating to the establishment of agencies at the county seat in each county in this state, and in cities of the first and second class, for the handling, sale and exchange of school-books provided for in said section 6467.

Cities of the Third Class:

House bill No. 58, An act to amend paragraph 1124 of the General Statutes of Kansas, 1901, concerning quarterly statement to be made by city councils in cities of the third class, and repealing said paragraph 1124, General Statutes of Kansas, 1901.

By unanimous consent, Mr. Kirtland offered House resolution No. 4, as follows:

Resolved, That it is the sense of this House that all bills referred to standing committees shall be adversely reported, unless it is the judgment of said committee that an emergency exists for their passage.

Mr. Kirtland moved the adoption of House resolution No. 4, which motion prevailed.

Mr. Reynard moved that the House take a recess until four o'clock P. M., which motion prevailed.

The House reconvened at four P. M., with Speaker Simmons in the chair.

INTRODUCTION OF BILLS.

The following bills were introduced and read the first time:

By Mr. Stone: House bill No. 75, An act relating to private corporations, and amendatory to the provisions of certain paragraphs of chapter 23, General Statutes of 1901, and repealing paragraphs Nos. 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1269, 1271, 1272, 1273, 1283, 1284 and 1311 of the General Statutes of 1901, chapter 150, Laws of 1903, and chapter 140 of the Laws of 1907.

Also, House bill No. 76, An act to amend section 4241 of the General Statutes of Kansas of 1901, as amended by chapter 365 of the Laws of 1903, relating to the release of mortgages, and repealing said section 4241 as amended.

Also, House bill No. 77, An act conferring upon women the right to vote for presidential electors.

By Mr. McGillivray: House bill No. 78, An act vacating vacant, unimproved town sites.

By Mr. Woodhouse: House bill No. 79, An act to enable townships to issue bonds for the purpose of aiding railroad corporations in securing and paying for lands and water privileges and constructing water-works and water pipe-lines needed for shops, roundhouses or other terminal facilities.

By Mr. Holdren: House bill No. 80, An act to amend general section 5799 of the General Statutes of the state of Kansas of 1901, relating to the employment of persons committed to the jail of any county in the state of Kansas, and repealing said original section.

By Mr. Bird: House bill No. 81, An act defining certain nuisances, authorizing state and local food and drug inspectors

and state and local health officers to make inspection of certain places and things, to give written notice for the abatement of nuisances and unsanitary places found, providing penalties for the violation of the provisions of this act, and defining the duties of county attorneys in their relation hereto.

By Mr. Murphy: House bill No. 82: An act to amend sections 1, 2 and 3 of chapter 151 of the Session Laws of Kansas of 1907, granting the board of county commissioners of Harvey county, Kansas, the right to sell the present county jail building and to dispose of the proceeds of sale, to erect a new county jail building and sheriff's residence combined, to levy an annual tax on all the taxable property in the county in payment therefor, and the repeal of original sections 1, 2 and 3 of chapter 151 of the Session Laws of Kansas of 1907.

By Mr. Stone: House bill No. 83, An act making appropriation for the state printing plant.

By Mr. Brandon: House bill No. 84, An act in relation to sidewalks in the city of Leon, Kan.

By Mr. Westcott: House bill No. 85, An act amending chapter 254 of the Laws of 1901, the same being an act entitled "An act to create a State Board of Medical Registration and Examination, and to regulate the practice of medicine, surgery and osteopathy in the state of Kansas, to provide penalties for the violations thereof, and repealing chapter 68 of Session Laws of 1870."

By Mr. Murphy: House bill No. 86, An act amending section 981 of the General Statutes of 1901, as amended by section 1 of chapter 128 of the Session Laws of Kansas of 1907, being an act limiting the bonded indebtedness of cities of the second class, and repealing section 1 of chapter 128 of the Session Laws of Kansas of 1907.

By Mr. Guyer: House bill No. 87, An act in relation to bucket-shops, brokerage offices and other places transacting the business of buying, selling and dealing in grain, stocks, bonds, securities, provisions and other commodities for future delivery; prohibiting the opening, carrying on and maintaining the same; prohibiting the use of telephone, telegraph or newspaper quotations of the market price in connection therewith; prohibiting any blackboards in connection therewith; prohibiting any telegraph or telephone operator from receiving market quotations for such place, or in such place; prohibiting any advertisement, sign or device to be made public of such place; fixing the penalty for the violation of any of the provisions of this act, and repealing all laws and parts of laws in conflict with this act, and repealing section 2448 of the General Statutes of Kansas of 1901 and all acts in conflict with this act.

Mr. Cunningham moved that an emergency be declared, the rules suspended, and that the bills just read be read the second time and referred to the proper committees, which motion pre-

vailed. The following House bills were thereupon read, and referred to committees indicated:

Judiciary:

House bill No. 75, An act relating to private corporations, and amendatory to the provisions of certain paragraphs of chapter 23, General Statutes of 1901, and repealing paragraphs Nos. 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1269, 1271, 1272, 1273, 1283, 1284 and 1311 of the General Statutes of 1901, chapter 150, Laws of 1903, and chapter 140 of the Laws of 1907.

House bill No. 76, An act to amend section 4241 of the General Statutes of Kansas of 1901, as amended by chapter 365 of the Laws of 1903, relating to the release of mortgages, and repealing said section 4241 as amended.

House bill No. 78, An act vacating vacant, unimproved town sites.

House bill No. 80, An act to amend general section 5799 of the General Statutes of the state of Kansas of 1901, relating to the employment of persons committed to the jail of any county in the state of Kansas, and repealing said original section.

House bill No. 87, An act in relation to bucket-shops, brokerage offices and other places transacting the business of buying, selling and dealing in grain, stocks, bonds, securities, provisions and other commodities for future delivery; prohibiting the opening, carrying on and maintaining the same; prohibiting the use of telephone, telegraph or newspaper quotations of the market price in connection therewith; prohibiting any blackboards in connection therewith; prohibiting any telegraph or telephone operator from receiving market quotations for such place, or in such place; prohibiting any advertisement, sign or device to be made public of such place; fixing the penalty for the violation of any of the provisions of this act, and repealing all laws and parts of laws in conflict with this act, and repealing section 2448 of the General Statutes of Kansas of 1901, and all acts in conflict with this act.

Judiciary Local:

House bill No. 82, An act to amend sections 1, 2 and 3 of chapter 151 of the Session Laws of Kansas of 1907, granting the board of county commissioners of Harvey county, Kansas, the right to sell the present county jail building and to dispose of the proceeds of sale; erect a new county jail building and sheriff's residence combined, to levy an annual tax on all the taxable property in the county in payment therefor, and the repeal of original sections 1, 2 and 3 of chapter 151 of the Session Laws of Kansas of 1907.

House bill No. 84, An act in relation to sidewalks in the city of Leon, Kan.

Municipal Corporations:

House bill No. 79, An act to enable townships to issue bonds for the purpose of aiding railroad corporations in securing and paying for lands and water privileges and constructing water-works and water pipe-lines needed for shops, roundhouses or other terminal facilities.

Political Rights of Women:

House bill No. 77, An act conferring upon women the right to vote for presidential electors.

Hygiene and Public Health:

House bill No. 81, An act defining certain nuisances, authorizing state and local food and drug inspectors and state and local health officers to make inspection of certain places and things, to give written notice for the abatement of nuisances and unsanitary places found, providing penalties for the violation of the provisions of this act, and defining the duties of county attorneys in their relation hereto.

House bill No. 85, An act amending chapter 254 of the Laws of 1901, the same being an act entitled "An act to create a State Board of Medical Registration and Examination, and to regulate the practice of medicine, surgery and osteopathy in the state of Kansas, to provide penalties for the violations thereof, and repealing chapter 68 of Session Laws of 1870."

Ways and Means:

House bill No. 83, An act making appropriation for the state printing plant.

Cities of the Second Class:

House bill No. 86, An act amending section 981 of the General Statutes of 1901, as amended by section 1 of chapter 128 of the Session Laws of Kansas of 1907, being an act limiting the bonded indebtedness of cities of the second class, and repealing section 1 of chapter 128 of the Session Laws of Kansas of 1907.

REPORTS OF STANDING COMMITTEES.

Mr. Wescott, chairman of the Committee on Judiciary Local, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary Local, to whom was referred House bill No. 3, An act authorizing the board of county commissioners of Shawnee county, Kansas, to sell the fair-grounds belonging to Shawnee county, and purchase other land with the proceeds of such sale, or to purchase other land to enlarge the present fair-grounds and levy a tax for the purpose of purchasing additional lands, if found necessary, and the erection of permanent buildings and improvements on such fair-grounds, and repealing chapter 161 of the Laws of 1907, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

Also, Senate bill No. 4, An act to authorize the board of education of the city of Lawrence, in Douglas county, Kansas, to increase the rate of interest upon a certain bond issue, and recommend that it be passed.

Also, House bill No. 11, An act to amend section 1 of chapter 75 of the Session Laws of 1907, and recommend that it be amended by striking out from the title thereof the second "l" in the word "repeal," and that when so amended that it be passed.

Also, House bill No. 16, An act to authorize the board of education of the city of Lawrence, in Douglas county, Kansas, to increase the rate of interest upon a certain bond issue, and recommend that it be not passed, for the reason that Senate bill No. 4 has passed the Senate and has reached the House and Senate bill No. 4 covers the same matter as House bill No. 16.

Also, House bill No. 22, An act to legalize the issue of certain bonds by the city of Winfield, and recommend that it be amended in section 1 by striking out the word "valid" and inserting instead thereof the word "validated," and that when so amended that it be passed.

Also, House bill No. 23, An act to amend section 1 of chapter 164 of the Laws of Kansas, 1905, and recommend that it be passed.

Also, House bill No. 24, An act to amend section 2 of chapter 74 of the Session Laws of 1907, and recommend that it be amended in section 3 by inserting the letter "e" before the letter "c" in the word "effect," and that when so amended that it be passed.

Also, House bill No. 25, An act to amend section 2 of chapter 76 of the Session Laws of 1907, and recommend that it be passed.

Also, House bill No. 39, An act relating to certain corporate acts of the First State Bank of Larned, Kan., and recommend that it be passed.

Also, House bill No. 40, An act authorizing Mitchell township, in Rice county, Kansas, to take and appropriate a sum not to exceed the sum of one thousand dollars out of the general fund of said township and to use the same in the erection and furnishing of a township hall, and recommend that it be passed.

Also, House bill No. 41, An act to authorize the city of Winfield, in Cowley county, to issue its bonds for the purpose of paying for the operation, improvement and extension of its water-works plant, and recommend that the same be amended by inserting in the title thereof after the word "county" the word "Kansas," and inserting after the word "Cowley" in the first line of section 1 the words "state of Kansas," and that when so amended that it be passed.

Also, House bill No. 86, An act to authorize the board of county commissioners of Osage county to erect a bridge across the Marais des Cygnes river, and recommend that it be passed.

S. C. WESTCOTT, *Chairman.*

Mr. Padgett moved that the House adjourn until ten o'clock Saturday morning, which motion prevailed.

THIRD DAY.

MORNING SESSION.

HALL OF THE HOUSE OF REPRESENTATIVES,
January 18, 1908—10:30 A. M.

The House convened, with Speaker Simmons in the chair.

The roll was called and 118 gentlemen were present and answered to their names.

Gentlemen absent were: Messrs. Craddock, Creech, Martin, and Rall.

Gentlemen absent by leave were: Messrs. Creech and Rall. Quorum present.

Prayer by the chaplain.

READING AND CORRECTION OF THE JOURNAL.

Mr. Stannard moved that the rules be suspended and that the further reading of the Journal be dispensed with, and that it be referred to the Committee on Supervision of the Journal, which motion prevailed.

PRESENTATION OF PETITIONS.

House petition No. 1, Relating to the guaranty deposit law, was presented by Mr. Cottingham, and read, and referred to Committee on Banks and Banking.

INTRODUCTION OF BILLS.

The following bills were introduced and read the first time:

By Mr. Enright: House bill No. 88, An act authorizing the board of commissioners of any county in Kansas, having the population of 130,000 or more, to declare by resolution when it is necessary to repair or improve a county building for court or county-office use for such county, fixing the maximum cost of such repairs and improvements, providing for petition therefor and a levy of a tax to create a fund to pay for said repairs and improvements.

Also, House bill No. 89, An act authorizing cities of the first class having a population of more than 50,000 to purchase, construct and contract for the construction of water-works, gas, electric-light and heating plants, and to issue bonds for such purposes.

Also, House bill No. 90, An act relating to the time within which cases shall be for trial in all judicial districts of this state composed of one county, wherein there may be two or more courts of general jurisdiction, with certain exceptions, and fixing the date for terms of court therein, and repealing certain acts in conflict therewith.

By Mr. Saunders: House bill No. 91, An act to amend section 2 of chapter 408 of the Session Laws of 1907, relating to the creation of a Tax Commission, and defining the powers of such commission, etc.

By Mr. Brown: House bill No. 92, An act creating and fixing the salary of the under-sheriff of Barber county, Kansas.

By Mr. Tredway: House bill No. 93, An act declaring Allen county, state of Kansas, to be in the class of counties named in chapter 185 of the Session Laws of 1905, and providing for the appointment of a county auditor in said county.

By Mr. Brierley: House bill No. 94, An act to amend paragraph 2000, chapter 31, page 435, of the General Statutes of Kansas, 1901.

By Mr. White: House bill No. 95, An act to amend section 2 of chapter 87 of the Session Laws of 1887, entitled "An act providing for the building and repairing of bridges in Mitchell, Ottawa and Lincoln counties, Kansas, and providing funds therefor."

By Mr. Kiff: House bill No. 96, An act authorizing and empowering the board of education of the city of Atchison to issue warrants for the payment for the construction of a high-school building in the city of Atchison.

By Mr. Davis: House bill No. 97, An act compelling railway companies to subscribe payment for and attend telephones in their depots, and providing penalties for the violation of this act.

Also, House bill No. 98, An act providing for separate daily passenger and freight service upon all railroads in Kansas, and providing a penalty for a violation thereof, and empowering the Board of Railroad Commissioners to order a discontinuance of separate daily passenger service in certain cases.

Also, House bill No. 99, An act to amend section 5647 of the General Statutes of Kansas, 1901, being section 205 of the code of criminal procedure, and repealing original section 5647 of the General Statutes of Kansas, 1901.

By Mr. Foley: House bill No. 100, An act amending section 4 and section 10 of chapter 397 of the Session Laws of Kansas of 1905, and repealing said original sections 4 and 10.

By Mr. White: House bill No. 101, An act supplemental to chapter 286 of the Session Laws of 1901, chapter 340 of the Session Laws of 1905, and chapter 268 of the Session Laws of 1907, concerning the time in which the orders made by the Board of Railroad Commissioners shall take effect and remain in force, relative to railroad freight and passenger schedules, rates, tariffs, and classifications, and providing penalties for the failure or neglect of the railroads to obey such orders.

By Mr. Hart: House bill No. 102, An act for the protection of antelopes.

By Mr. Foley: House bill No. 103, An act relating to private corporations.

By Mr. Kirtland: House bill No. 104, An act relating to voting machines, and authorizing the use of voting machines at all general, special, city and primary elections; authorizing counties, townships and cities to purchase voting machines and to pay for the same either in cash or by issuing warrants therefor; creating a commission to examine and approve voting machines to be sold in the state; providing for the compensation of said commission for services rendered; fixing and prescribing penalties for the violation of certain provisions of this act; repealing chapter 184 of the Session Laws of 1901, and suspending all acts and parts of acts in conflict herewith.

By Mr. Flanagan: House bill No. 105, An act amending section 4 of chapter 388 of the Session Laws of Kansas of 1907, and repealing said original section 4.

By Mr. Potts: House bill No. 106, An act to amend an act entitled "An act to vacate certain lots, streets and alleys in White City, Morris county, Kansas," the same being chapter 420 of the Session Laws of 1901.

By Mr. Shepard: House bill No. 107, An act to authorize and enable district No. 19, situated in Washington county, Kansas, to levy and collect an additional tax to pay certain indebtedness now owing by said districts.

By Mr. Brown: House bill No. 108, An act regulating the salary of the clerk of the district court of Harper county, state of Kansas.

By Mr. Skinner: House bill No. 109, An act regulating the meetings of the board of county commissioners of Lincoln county, Kansas, and providing for compensation of said board.

By Mr. Ham: House bill No. 110, An act to amend sections 1, 5, 6 and 11 of chapter 407 of Laws of Kansas, 1907, and to repeal said original sections.

Also, House bill No. 111, An act authorizing the creation of deposit insurance companies, defining their powers and duties, and the duties of certain state officers in relation thereto, and providing that banks and trust companies may participate in the benefits thereof, and providing penalties for the violation of this act.

By Mr. Wilson: House bill No. 112, An act making an appropriation for the erection and equipment of a hospital and other buildings for treatment of tubercular patients at some place in the state of Kansas, providing a manner of locating the same, and providing for the management and maintenance of the same.

By Mr. Finley: House bill No. 113, An act to amend section 1 of chapter 163 of the Session Laws of 1907, relating to county attorneys, and repealing said section.

By Mr. Mercer: House bill No. 114, An act to amend chapter 290 of the Session Laws of 1907, being an act declaring section lines highways in the county of Rice and other counties therein named, and repealing said original chapter 290 of the Session Laws of 1907.

By Mr. Stone: House bill No. 115, An act to amend section 8 of chapter 268 of the Session Laws of 1907, relating to railroads and other common carriers, and to repeal said section 8 of chapter 268 of the Session Laws of 1907.

Also, House bill No. 116, An act to amend sections 12, 13 and 23 of chapter 47 of the Session Laws of 1897, entitled "An act relating to banks and banking, providing for the organization, management, control, regulation and supervision of banks, and providing penalties for violation of the provisions of this act," and repealing sections 12, 13 and 23, chapter 47, of the Session Laws of 1897.

Also, House bill No. 117, An act amending section 1 of chapter 183, Session Laws, 1907.

Also, House bill No. 118, An act concerning the jurisdiction of the court of Topeka, regulating appeals therefrom, providing for the appointment of a clerk *pro tem.*, and amending sections 2 and 13 of chapter 129 of the Session Laws of 1899.

By Mr. Elstun: House bill No. 119, An act relating to the appointment of agents for life and other insurance companies in the state of Kansas, and prohibiting the superintendent of insurance from issuing a license to such non-resident agents, amending section 19 of chapter 93 of the Laws of 1871.

By Mr. Stubbs: House bill No. 120, An act to amend sections 3 and 18, chapter 408, of the Session Laws of 1907, and to repeal said original sections 3 and 18.

By Mr. Gordon: House bill No. 121, An act regulating the rentals allowed for the use of telephones, and fixing a penalty for the violation thereof.

By Mr. Saunders: House bill No. 122, An act to authorize the township board of Sherman township, Sedgwick county, Kansas, to issue bonds for the purpose of erecting a public building and to purchase a site therefor.

By Mr. Wells: House bill No. 123, An act providing for the depositors in the incorporated state banks of Kansas, and for the enforcement thereof.

By Mr. Jeffries: House bill No. 124, An act providing for the enrolment of civil war and Spanish-American war veterans.

JOINT RESOLUTIONS.

Mr. Hendricks offered House joint resolution No. 2, Relating to amendments to the constitution, providing for the election of United States senators by direct vote of the people, etc.

Mr. Tredway moved that an emergency be declared, the rules suspended, and that all bills now on first reading be read the second time and referred to the proper committees. which motion prevailed.

SECOND READING AND REFERENCE OF BILLS.

The following bills were thereupon read, and referred to committees indicated:

Judiciary:

House bill No. 90, An act relating to the time within which cases shall be for trial in all judicial districts of this state composed of one county wherein there may be two or more courts of general jurisdiction, with certain exceptions, and fixing the date for terms of court therein, and repealing certain acts in conflict therewith.

House bill No. 94, An act to amend paragraph 2000, chapter 31, page 435, of the General Statutes of Kansas, 1901.

House bill No. 99, An act to amend section 5647 of the General Statutes of Kansas, 1901, being section 205 of the code of criminal procedure, and repealing original section 5647 of the General Statutes of Kansas, 1901.

House bill No. 103, An act relating to private corporations.

House bill No. 113, An act to amend section 1 of chapter 163 of the Session Laws of 1907, relating to county attorneys, and repealing said section.

House bill No. 117, An act amending section 1 of chapter 183, Session Laws, 1907.

Judiciary Local:

House bill No. 74, An act to repeal chapter 422 of the Session Laws of 1907.

House bill No. 92, An act creating and fixing the salary of the under-sheriff of Harper county, Kansas

House bill No. 93, An act declaring Allen county, state of Kansas, to be in the class of counties named in chapter 185 of the Session Laws of 1905, and providing for the appointment of a county auditor in said county.

House bill No. 95, An act to amend section 2 of chapter 87 of the Session Laws of 1887, entitled "An act providing for the building and repairing of bridges in Mitchell, Ottawa and Lincoln counties, Kansas, and providing funds therefor."

House bill No. 96, An act authorizing and empowering the board of education of the city of Atchison to issue warrants for the payment for the construction of a high-school building in the city of Atchison.

House bill No. 106, An act to amend an act entitled "An act to vacate certain lots, streets and alleys in White City, Morris county, Kansas," the same being chapter 420 of the Session Laws of 1901.

House bill No. 107, An act to authorize and enable district No. 19 situated in Washington county, Kansas, to levy and collect an additional tax to pay certain indebtedness now owing by said districts.

House bill No. 108, An act regulating the salary of the clerk of the district court of Harper county, state of Kansas.

House bill No. 109, An act regulating the meetings of the board of county commissioners of Lincoln county, Kansas, and providing for compensation of said board.

House bill No. 114, An act to amend chapter 290 of the Ses-

sion Laws of 1907, being an act declaring section lines highways in the county of Rice and other counties therein named, and repealing said original chapter 290 of the Session Laws of 1907.

House bill No. 118, An act concerning the jurisdiction of the court of Topeka, regulating appeals therefrom, providing for the appointment of a clerk *pro tem.*, and amending sections 2 and 13 of chapter 129 of the Session Laws of 1899.

House bill No. 122, An act to authorize the township board of Sherman township, Sedgwick county, Kansas, to issue bonds for the purpose of erecting a public building and to purchase a site therefor.

Railroads:

House bill No. 97, An act compelling railway companies to subscribe payment for and attend telephones in their depots, and providing penalties for the violation of this act.

House bill No. 98, An act providing for separate daily passenger and freight service upon all railroads in Kansas, and providing a penalty for a violation thereof, and empowering the Board of Railroad Commissioners to order a discontinuance of separate daily passenger service in certain cases.

House bill No. 101, An act supplemental to chapter 286 of the Session Laws of 1901, chapter 340 of the Session Laws of 1905, and chapter 268 of the Session Laws of 1907, concerning the time in which the orders made by the Board of Railroad Commissioners shall take effect and remain in force, relative to railroad freight and passenger schedules, rates, tariffs, and classifications, and providing penalties for the failure or neglect of the railroads to obey such orders.

House bill No. 115, An act to amend section 8 of chapter 268 of the Session Laws of 1907, relating to railroads and other common carriers, and to repeal said section 8 of chapter 268 of the Session Laws of 1907.

House bill No. 121, An act regulating the rentals allowed for the use of telephones, and fixing a penalty for the violation thereof.

Ways and Means:

House bill No. 112, An act making an appropriation for the erection and equipment of a hospital and other buildings for treatment of tubercular patients at some place in the state of Kansas, providing a manner of locating the same, and providing for the management and maintenance of the same.

Banks and Banking:

House bill No. 111, An act authorizing the creation of deposit insurance companies, defining their powers and duties, and the duties of certain state officers in relation thereto, and providing that banks and trust companies may participate in the benefits thereof, and providing penalties for the violation of this act.

House bill No. 116, An act to amend sections 12, 13 and 23

of chapter 47 of the Session Laws of 1897, entitled "An act relating to banks and banking, providing for the organization, management, control, regulation and supervision of banks, and providing penalties for violation of the provisions of this act, and repealing sections 12, 13 and 23, chapter 47, of the Session Laws of 1897.

House bill No. 123, An act providing for the depositors in the incorporated state banks of Kansas, and for the enforcement thereof.

Insurance:

House bill No. 119, An act relating to the appointment of agents for life and other insurance companies in the state of Kansas, and prohibiting the superintendent of insurance from issuing a license to such non-resident agents, amending section 19 of chapter 93 of the Laws of 1871.

Assessment and Taxation:

House bill No. 91, An act to amend section 2 of chapter 408 of the Session Laws of 1907, relating to the creation of a Tax Commission, and defining the powers of such commission, etc.

House bill No. 120, An act to amend sections 3 and 18, chapter 408, of the Session Laws of 1907, and to repeal said original sections 3 and 18.

Education:

House bill No. 100, An act amending section 4 and section 10 of chapter 397 of the Session Laws of Kansas of 1905, and repealing said original sections 4 and 10.

Elections:

House bill No. 104, An act relating to voting machines. and authorizing the use of voting machines at all general, special, city and primary elections; authorizing counties, townships and cities to purchase voting machines and to pay for the same either in cash or by issuing warrants therefor; creating a commission to examine and approve voting machines to be sold in the state; providing for the compensation of said commission for services rendered; fixing and prescribing penalties for the violation of certain provisions of this act; repealing chapter 184 of the Session Laws of 1901, and suspending all acts and parts of acts in conflict herewith.

Municipal Corporations:

House bill No. 88, An act authorizing the board of county commissioners of any county in Kansas, having the population of 130,000 or more, to declare by resolution when it is necessary to repair or improve a county building for court or county-office use for such county, fixing the maximum cost of such repairs and improvements, providing for petition therefor and a levy of a tax to create a fund to pay for said repairs and improvements.

Cities of the First Class:

House bill No. 73, An act relating to territory outside of the city limits of cities of the first class, but adjacent thereto, and providing for the manner of holding elections for election of members of the board of education in territory attached to cities of the first class for school purposes and for the payment of the expenses of such elections.

House bill No. 89, An act authorizing cities of the first class having a population of more than 50,000 to purchase, construct and contract for the construction of water-works, gas, electric-light and heating plants, and to issue bonds for such purposes.

State Affairs:

House bill No. 124, An act providing for the enrolment of civil war and Spanish-American war veterans.

Live Stock:

House bill No. 102, An act for the protection of antelopes.

House bill No. 105, An act amending section 4 of chapter 388 of the Session Laws of Kansas of 1907, and repealing said original section 4.

House bill No. 110, An act to amend sections 1, 5, 6 and 11 of chapter 407 of Laws of Kansas, 1907, and to repeal said original sections.

REPORTS OF STANDING COMMITTEES.

Mr. Rochester, chairman of the Committee on Federal Relations, submitted the following report:

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred House joint resolution No. 1, Requesting United States Congress to call a convention to amend the constitution, by providing for the election of United States senators by direct vote of the people, have had the same under consideration, and instruct me to report the resolution back to the House with the recommendation that it be not passed, because the subject-matter is covered by chapter 439 of the Session Laws of 1907.

E. P. ROCHESTER, *Chairman.*

Mr. Stannard, chairman of the Committee on Live Stock, submitted the following report:

MR. SPEAKER: Your Committee on Live Stock, to whom was referred House bill No. 32, An act relating to protection of domestic animals, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be not passed.

C. A. STANNARD, *Chairman.*

Mr. Westcott, chairman of the Judiciary Local Committee, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary Local, to whom was referred House bill No. 35, An act fixing terms of court in the thirty-second judicial district, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that the word "statute-book" be stricken out of the third line in section 3 and the words "official state paper" be inserted in lieu thereof, and that the bill be passed as amended.

Also, House bill No. 49, An act fixing the metes and bounds of the city of Oakley, Logan county, Kansas, and report the bill back to the House without recommendation. S. C. WESTCOTT, *Chairman*.

Mr. Ryan, chairman of the Judiciary Committee, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 8, An act to amend section 1365 of the General Statutes of Kansas, 1901, relating to appointment of commissioners in condemnation proceedings, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be not passed, for the reason that no emergency exists.

Also, House bill No. 12, An act authorizing and empowering the board of trustees of any county high school in the state of Kansas to secure, by condemnation or otherwise, real estate for the purpose of establishing an athletic park to be used in connection with such county high school, and vesting the title to such real estate in the county, and recommend that it be not passed.

Also, House bill No. 59, An act authorizing any county to aid in the development of its natural resources, and recommend that it be not passed.

Also, House bill No. 63, An act to encourage the erection of mills and factories and the manufacture of sugar and syrup out of sorghum cane and sugar-beets, and authorizing townships and cities of the second and third class to subscribe for stock in sugar factories and to vote bonds therefor, and to amend section 1 of chapter 106a, General Statutes of 1901, and recommend that it be passed.

Also, House bill No. 76, An act to amend section 4241 of the General Statutes of Kansas of 1901, as amended by chapter 365 of the Laws of 1903, relating to the release of mortgages, and repealing said section 4241 as amended, and recommend that the same be amended by adding after the word "corporation," line 14 of section 1, page 2, the following: "Said satisfaction shall contain a copy of such by-law authorizing such officer to make such release, which shall be evidence of such authority"; also, in lines 11 and 12 of same section, strike out the words "in full"; also, in line 7 of same section, after the word "release," strike out the words "in full," and that the same be passed as amended.

Also, House bill No. 78, An act vacating vacant, unimproved town sites, and recommend that section 1, line 1, be amended by inserting, after the word "sites," the words "unused or unoccupied for town or city purposes," and that it be passed as amended. S. L. RYAN, *Chairman*.

Mr. Bird, chairman of the Committee on Cities of the First Class, submitted the following report:

MR. SPEAKER: Your Committee on Cities of the First Class, to whom was referred House bill No. 31, An act to amend section 1 of chapter 120, Session Laws, 1907, and repealing said original section, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

Also, House bill No. 45, An act relating to the acquisition and operation by cities of the first class having more than 50,000 population of the water-works supply plant and property of any person, company or corporation, in any case where the franchise of such person, company or corporation to supply any such city of the first class with water has expired or may hereafter expire, and recommend that it be passed with the following amendments: In line 2 of the title strike out the word "fifty" and insert in lieu thereof the word "sixty-five"; in line 2 of section 1 strike out the word "fifty" and insert in lieu thereof the word "sixty-five"; in line 6 of section 1 strike out the word "fifty" and insert the word "sixty-five."

Also, House bill No. 47, An act relating to cities of the first class

having a population of more than 50,000, and concerning the improvement of streets, avenues and alleys, and repealing chapter 112 of the Laws of 1905 and chapter 116 of the Laws of 1902, and recommend that it be passed with the following amendments: In line 2 of the title strike out the word "fifty" and insert in lieu thereof the word "sixty-five"; in line 2 of section 1 strike out the word "fifty" and insert in lieu thereof the word "sixty-five."

W. A. S. BIRD, *Chairman.*

Mr. Cunningham moved that an emergency be declared, the rules suspended, and that House bills Nos. 3, 11, 22, 23, 24, 25, 36, 40, and 41, and Senate bill No. 4, be placed on third reading, subject to amendment and debate.

Mr. Bird moved, as an amendment to the above motion, that all local bills reported by the committees be made a special order for Monday at eleven o'clock A. M., which motion prevailed.

Mr. Stubbs moved that an emergency be declared, the rules suspended, and that House bill No. 18 be made a special order for Monday afternoon at two o'clock, which motion prevailed.

Mr. Kirtland moved that the House adjourn until ten o'clock Monday morning, which motion prevailed.

FOURTH DAY.

MORNING SESSION.

HALL OF THE HOUSE OF REPRESENTATIVES,
January 20, 1908—10: 30 A. M.

The House convened, with Speaker Simmons in the chair.

The roll was called and 118 gentlemen were present and answered to their names.

Gentlemen absent were: Messrs. Creech, O'Conner. Pohlman, and Richardson.

Gentlemen absent by leave were: Messrs. Creech and Rall.

Quorum present.

Prayer by the chaplain.

READING AND CORRECTION OF THE JOURNAL.

Mr. Cunningham moved that the rules be suspended, and that the further reading of the Journal be dispensed with and that it be referred to the Committee on Supervision of the Journal, which motion prevailed.

PRESENTATION OF PETITIONS.

Mr. Leland presented House petition No. 2, Relating to the Tax Commission law, which was thereupon read and referred to the Committee on Assessment and Taxation.

INTRODUCTION OF BILLS.

The following bills were introduced and read the first time:

By Mr. Craddock: House bill No. 125, An act authorizing the disposition of certain funds in Morton county, Kansas.

By Committee on Assessment and Taxation: House bill No. 126, An act giving to the members of the State Tax Commission and the secretary, clerk, stenographer, accountants and experts of said commission the right to be carried over railroads in Kansas free of charge, and permitting railroads to carry such officials free of charge.

By Mr. Craddock: House bill No. 127, An act authorizing the county commissioners of Stevens and Morton counties to drill artesian wells and to make appropriations to pay for the same.

By Mr. Boggs: House bill No. 128, An act authorizing cities of the third class to fund their outstanding floating indebtedness in certain cases.

Mr. Kirtland moved that an emergency be declared, the rules suspended, and that the above bills be placed on second reading, and referred to the proper committees, which motion prevailed.

SECOND READING AND REFERENCE OF BILLS.

The following bills were thereupon read, and referred to committees indicated:

Judiciary Local:

House bill No. 125, An act authorizing the disposition of certain funds in Morton county, Kansas.

House bill No. 127, An act authorizing the county commissioners of Stevens and Morton counties to drill artesian wells and to make appropriations to pay for the same.

Cities of the Third Class:

House bill No. 128, An act authorizing cities of the third class to fund their outstanding floating indebtedness in certain cases.

Committee of the Whole:

House bill No. 126, An act giving to the members of the State Tax Commission and the secretary, clerk, stenographer, accountants and experts of said commission the right to be carried over railroads in Kansas free of charge, and permitting railroads to carry such officials free of charge.

ORIGINAL MOTIONS AND RESOLUTIONS.

Mr. Hendricks asked unanimous consent to withdraw House resolution No. 2, Relating to the election of United States senators, which consent was granted.

Mr. Leland moved that the telephone account which was made by the members of the House up to noon to-day, January 20, would be paid by the state, but after noon to-day, January 20, the telephone girl should inform the members that each member is required to pay for his own long-distance telephone message, which motion prevailed.

Mr. Brandon moved that 500 copies of House bills Nos. 123 and 116 be printed, and 1000 copies of House bill No. 111, which motion prevailed.

REPORTS OF STANDING COMMITTEES.

Mr. Westcott, chairman of the Committee on Judiciary Local, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary Local, to whom was referred House bill No. 61, An act transferring certain money from the state treasurer to the county of Finney, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

Also, House bill No. 9, An act to repeal section 6 of chapter 153 of the Session Laws of 1901, and recommend that it be passed.

Also, House bill No. 30, An act fixing the time for holding the regular terms of the district court and the court of common pleas of Wyandotte county, Kansas, and recommend that it be passed.

Also, House bill No. 43, An act to create the circuit court of Wyandotte county, to define the powers and jurisdiction of such court and of the judge thereof, to provide for the holding of the terms of such court, and for the transfer from the district court and court of common

pleas of Wyandotte county, of certain actions to said circuit court and from the circuit court to the district court and the court of common pleas and for the appointment and election of a judge and clerk thereof, and recommend that it be passed.

Also, House bill No. 92, An act creating and fixing the salary of the under-sheriff of Harper County, Kansas, and recommend that it be passed.

Also, House bill No. 74, An act to repeal chapter 422 of the Session Laws of 1907, and recommend that it be passed.

Also, House bill No. 71, An act regulating the meetings of the board of county commissioners of Barton county, Kansas, and recommend that it be passed.

S. C. WESTCOTT, *Chairman*.

Mr. Ryan, chairman of the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 103, An act relating to private corporations, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

Also, House bill No. 87, An act relating to bucket-shops, and recommend that it be not passed.

Also, House bill No. 113, An act to amend section 1 of chapter 163 of the Session Laws of 1907, relating to county attorneys, and repealing said section, and recommend that it be not passed.

Also, House bill No. 99, An act to amend section 5647 of the General Statutes of Kansas, 1901, being section 205 of the code of criminal procedure, and repealing original section 5647 of the General Statutes of Kansas, 1901, and recommend that it be not passed.

Also, House bill No. 94, An act to amend paragraph 2000, chapter 31, page 435, of the General Statutes of Kansas, 1901, and recommend that it be not passed.

S. L. RYAN, *Chairman*.

Mr. Kirtland, chairman of the Committee on Assessment and Taxation, submitted the following report:

MR. SPEAKER: Your Committee on Assessment and Taxation, to whom was referred House bill No. 17, An act to amend section 19 of chapter 408 of the Session Laws of 1907, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be amended by striking out "state paper" and inserting "statute-book" in lieu thereof, and that it be passed as amended.

Also, House bill No. 52, An act to amend section 18, chapter 408, of the Session Laws of 1907, and repealing original section 18, and recommend that it be not passed.

Also, House bill No. 52, An act to amend section 18, chapter 408, of the Session Laws of 1907 of the state of Kansas, and recommend that it be not passed.

Also, House bill No. 21, An act amending sections 18 and 19 of chapter 408 of the Session Laws of 1907, and recommend that it be not passed.

Also, House bill No. 62, An act providing for the collection and distribution of highway-labor tax, and prescribing the duties of deputy township assessors and other officers in connection therewith, and recommend that it be not passed.

C. B. KIRTLAND, *Chairman*.

Mr. Milligan, chairman of the Committee on Hygiene and Public Health, submitted the following report:

MR. SPEAKER: Your Committee on Hygiene and Public Health, to whom was referred House bill No. 42, An act to amend sections 4, 8, 9 and 10 of chapter 382 of the Session Laws of 1907, and to repeal said original sections 4, 8, 9 and 10 of said chapter 382 of the Laws of 1907, have had

the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

Also, House bill No. 51, An act prohibiting the manufacture, sale, keeping or offering for sale certain adulterated foods, and supplemental to chapter 266 of the Session Laws of 1907, and recommend that it be passed.
J. A. MILLIGAN, *Chairman*.

Mr. Ingalls, chairman of the Committee on Education, submitted the following report:

MR. SPEAKER: Your Committee on Education, to whom was referred House bill No. 100, An act amending section 4 and section 10 of chapter 397 of the Session Laws of Kansas of 1905, and repealing said original sections 4 and 10, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

Also, House bill No. 72, An act to amend section 6467 of the Compiled Laws of 1901, relating to the establishment of agencies at the county seat in each county in this state, and in cities of the first and second class, for the handling, sale and exchange of school-books provided for in said section 6467, and recommend that it be passed.

SHEFFIELD INGALLS, *Chairman*.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed by the Senate to inform the House that the Senate has passed Senate bill No. 3, An act concerning railroads, and repealing section 1 of chapter 272 of the Session Laws of 1907, and providing penalties for the violation thereof.

Also, Senate bill No. 1, An act providing for the selection for party nominees for United States senator.

Also, Senate bill No. 28, An act authorizing the board of county commissioners of Shawnee county, Kansas, to sell the fair-grounds belonging to Shawnee county and purchase other land with the proceeds of such sale, or to purchase other land to enlarge the present fair-grounds, and levy a tax for the purpose of purchasing additional lands, if found necessary, and the erection of permanent buildings and improvements on such fair-grounds, and repealing chapter 161 of the Laws of 1907.

Also, Senate bill No. 58, An act authorizing and empowering the board of education of the city of Atchison to issue warrants for the payment for the construction of a high-school building in the city of Atchison.

Also, Senate bill No. 60, An act making appropriation to pay the claim against the state on the part of J. S. Dalziel.

Also, Senate bill No. 59, An act authorizing the board of county commissioners of Linn county, Kansas, to pay the claim of C. H. Brown against said county out of the bridge fund thereof.

Also, Senate bill No. 68, An act to amend sections 1 and 2 of chapter 87 of Session Laws of 1887, entitled "An act providing for the building and repairing of bridges in Mitchell, Ottawa, Lincoln and Osborne counties, Kansas, and providing funds therefor."

Also, Senate bill No. 73, An act regulating the salary of the clerk of the district court of Harper county.

Also, Senate bill No. 74, An act creating and fixing the salary of the under-sheriff of Harper county.

Also, Senate bill No. 78, An act to provide for the meeting of the board of county commissioners of Harper county, Kansas.

Also, Senate bill No. 75, An act declaring the person therein named the adopted daughter and heir of Dr. John M. Hunt and Sarah M. Hunt.

Also, Senate bill No. 87, An act fixing the salary of the deputy county clerk of Butler county, Kansas.

Also, Senate bill No. 82, An act providing for and designating the manner of selecting petit jurors, and prescribing their qualifications, in counties having more than 100,000 population, and imposing on the judge

of the district court and other courts of general jurisdiction, if any, in such counties, the duty of selecting jurors, and prescribing their compensation, and authorizing said judge to appoint a clerk and fix his compensation, and repealing said sections 5 and 12.

Also, Senate bill No. 91, An act to amend chapter 268, Session Laws of 1907.

The same are herewith transmitted. W. S. KRETSINGER, *Secretary*.

The above Senate bills were thereupon read the first time.

THIRD READING OF BILLS.

Mr. Cunningham moved that the committee amendments to House bills Nos. 24, 22, 41, 11 and 47 be incorporated in the body of the bills, which motion prevailed.

Mr. Foley asked unanimous consent to have House bill No. 39 placed on third reading, subject to amendment and debate, which consent was granted.

Mr. Cunningham asked unanimous consent to have House bill No. 35 placed on third reading, subject to amendment and debate, which consent was granted.

Mr. Stone asked unanimous consent to have House bill No. 31 placed on third reading, subject to amendment and debate, which consent was granted.

Mr. Saunders asked unanimous consent to have House bill No. 122, which was assigned to the Judiciary Local Committee, recalled and placed on third reading, subject to amendment and debate, which consent was granted.

Mr. Brown asked unanimous consent to have House bill No. 108 recalled from the Judiciary Local Committee and placed on third reading, subject to amendment and debate, which consent was granted.

Mr. Foley asked unanimous consent to have House bill No. 49 placed on third reading, subject to amendment and debate, which consent was granted.

Mr. Flanigan asked unanimous consent to have House bill No. 37 recalled from the Judiciary Local Committee and placed on third reading, subject to amendment and debate, which consent was granted.

Mr. Potts asked unanimous consent to have House bill No. 36 recalled from the Judiciary Local Committee and placed on third reading, subject to amendment and debate, which consent was granted.

House bill No. 35, An act relating to terms of court in the thirty-second judicial district, and repealing all acts and parts of acts in conflict herewith, was read the third time.

Mr. Cunningham moved that section 1 be amended by inserting after the words "Section 1" the words "After April 1, 1908," which motion prevailed.

The question being, Shall the bill pass as amended? the roll was called, with the following result: Yeas 78, nays 0; absent or not voting, 44.

Members voting in favor of the passage of the bill were: Adams, Banks, Beeson, Bird, Blaine, Boggs, Boyle, Brandon, Brown, Cole, Cottingham, Cowan, Craddock, Cunningham, Davis, Elstun, Enright, Finley, Fisher, Flanigan, Foley, Fraser, Gants, Gesner, Gordon, Grass, Ham, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Ingalls, Jeffries, Johnson, Jones, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Mercer, Miller, Milligan, Mitchell, Montee, Oshant, Patterson, Plumb, Potts, Price, Reynard, Rich, Richmond, Rochester, Ryan, Saunders, Shepard, Sherer, Sipple, Skinner, Sourbeer, Stockton, Stone, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Warren, Wells, White, Wilson, Woodhouse, and Mr. Speaker.

Members absent or not voting were: Archer, Berryman, Brierley, Chatten, Clark, Creech, Crumly, Curran, Davidson of Sedgwick, Davison of Marion, Dennis, Edwards, Guyer, Haskins, Helmick, Husey, Kiff, Kinnison, Martin, Mayhew, Morgan of Hodgeman, Morgan of Reno, Murphy, Myers, Neihart, O'Conner, Padgett, Peter, Pohlman, Polley, Pomeroy, Rall, Ransom, Rhodes, Richardson, Rockefeller, Roush, Schmidt, Snyder, Stannard, Tannahill, Umholtz, Westcott, and Wheeler.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 31, An act to amend section 1, chapter 120, of the Session Laws of 1907, and repealing said original section, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 78, nays 0; absent or not voting, 44.

Members voting in favor of the passage of the bill were: Adams, Banks, Beeson, Bird, Blaine, Boggs, Boyle, Brandon, Brown, Cole, Cottingham, Cowan, Craddock, Cunningham, Davis, Elstun, Enright, Finley, Fisher, Flanigan, Foley, Fraser, Gants, Gesner, Gordon, Grass, Ham, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Ingalls, Jeffries, Johnson, Jones, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Mercer, Miller, Milligan, Mitchell, Montee, Oshant, Patterson, Plumb, Potts, Price, Reynard, Rich, Richmond, Rochester, Ryan, Saunders, Shepard, Sherer, Sipple, Skinner, Sourbeer, Stockton, Stone, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Warren, Wells, White, Wilson, Woodhouse, and Mr. Speaker.

Members absent or not voting were: Archer, Berryman, Brierley, Chatten, Clark, Creech, Crumly, Curran, Davidson of Sedgwick, Davison of Marion, Dennis, Edwards, Guyer, Haskins, Helmick, Husey, Kiff, Kinnison, Martin, Mayhew, Morgan of Hodgeman, Morgan of Reno, Murphy, Myers, Neihart, O'Conner, Padgett, Peter, Pohlman, Polley, Pomeroy, Rall, Ransom, Rhodes, Richardson, Rockefeller, Roush,

Schmidt, Snyder, Stannard, Tannahill, Umholtz, Westcott, and Wheeler.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 37, An act authorizing the city of Oberlin, Kan., to refund twenty-five thousand dollars of bonds issued by it on the 1st day of September, A. D. 1888, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 78, nays 0; absent or not voting, 44.

Members voting in favor of the passage of the bill were: Adams, Banks, Beeson, Bird, Blaine, Boggs, Boyle, Brandon, Brown, Cole, Cottingham, Cowan, Craddock, Cunningham, Davis, Elstun, Enright, Finley, Fisher, Flanigan, Foley, Fraser, Gants, Gesner, Gordon, Grass, Ham, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Ingalls, Jeffries, Johnson, Jones, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Mercer, Miller, Milligan, Mitchell, Montee, Oshant, Patterson, Plumb, Potts, Price, Reynard, Rich, Richmond, Rochester, Ryan, Saunders, Shepard, Sherer, Sipple, Skinner, Sourbeer, Stockton, Stone, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Warren, Wells, White, Wilson, Woodhouse, and Mr. Speaker.

Members absent or not voting were: Archer, Berryman, Brierley, Chatten, Clark, Creech, Crumly, Curran, Davidson of Sedgwick, Davison of Marion, Dennis, Edwards, Guyer, Haskins, Helmick, Husey, Kiff, Kinnison, Martin, Mayhew, Morgan of Hodgeman, Morgan of Reno, Murphy, Myers, Neihart, O'Conner, Padgett, Peter, Pohlman, Polley, Pomeroy, Rall, Ransom, Rhodes, Richardson, Rockefeller, Roush, Schmidt, Snyder, Stannard, Tannahill, Umholtz, Westcott, and Wheeler.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 49, An act fixing the metes and bounds of the city of Oakley, Logan county, Kansas, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 78, nays 0; absent or not voting, 44.

Members voting in favor of the passage of the bill were: Adams, Banks, Beeson, Bird, Blaine, Boggs, Boyle, Brandon, Brown, Cole, Cottingham, Cowan, Craddock, Cunningham, Davis, Elstun, Enright, Finley, Fisher, Flanigan, Foley, Fraser, Gants, Gesner, Gordon, Grass, Ham, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Ingalls, Jeffries, Johnson, Jones, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Mercer, Miller, Milligan, Mitchell, Montee, Oshant, Patterson, Plumb, Potts, Price, Reynard, Rich, Richmond, Rochester, Ryan, Saunders, Shepard,

Sherer, Sipple, Skinner, Sourbeer, Stockton, Stone. Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Warren, Wells, White, Wilson, Woodhouse, and Mr. Speaker.

Members absent or not voting were: Archer, Berryman, Brierley, Chatten, Clark, Creech, Crumly, Curran, Davidson of Sedgwick, Davison of Marion, Dennis, Edwards, Guyer, Haskins, Helmick, Husey, Kiff, Kinnison, Martin, Mayhew, Morgan of Hodgeman, Morgan of Reno, Murphy, Myers, Neihart, O'Conner, Padgett, Peter, Pohlman, Polley, Pomeroy, Rall, Ransom, Rhodes, Richardson, Rockefeller, Roush, Schmidt, Snyder, Stannard, Tannahill, Umholtz, Westcott, and Wheeler.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 39, An act relating to certain corporate acts of the First State Bank of Larned, Kan., was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 78, nays 0; absent or not voting, 44.

Members voting in favor of the passage of the bill were: Adams, Banks, Beeson, Bird, Blaine, Boggs, Boyle, Brandon, Brown, Cole, Cottingham, Cowan, Craddock, Cunningham, Davis, Elstun, Enright, Finley, Fisher, Flanigan, Foley, Fraser, Gants, Gesner, Gordon, Grass, Ham, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Ingalls, Jeffries, Johnson, Jones, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Mercer, Miller, Milligan, Mitchell, Montee, Oshant, Patterson, Plumb, Potts, Price, Reynard, Rich, Richmond, Rochester, Ryan, Saunders, Shepard, Sherer, Sipple, Skinner, Sourbeer, Stockton, Stone, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Warren, Wells, White, Wilson, Woodhouse, and Mr. Speaker.

Members absent or not voting were: Archer, Berryman, Brierley, Chatten, Clark, Creech, Crumly, Curran, Davidson of Sedgwick, Davison of Marion, Dennis, Edwards, Guyer, Haskins, Helmick, Husey, Kiff, Kinnison, Martin, Mayhew, Morgan of Hodgeman, Morgan of Reno, Murphy, Myers, Neihart, O'Conner, Padgett, Peter, Pohlman, Polley, Pomeroy, Rall, Ransom, Rhodes, Richardson, Rockefeller, Roush, Schmidt, Snyder, Stannard, Tannahill, Umholtz, Westcott, and Wheeler.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 47, An act relating to cities of the first class having a population of more than 50,000 and concerning the improvement of streets, avenues and alleys, and repealing chapter 112 of the Laws of 1905 and chapter 116 of the Laws of 1907, was read the third time, and the question being, Shall

the bill pass as amended? the roll was called, with the following result: Yeas 78, nays 0; absent or not voting, 44.

Members voting in favor of the passage of the bill were: Adams, Banks, Beeson, Bird, Blaine, Boggs, Boyle, Brandon, Brown, Cole, Cottingham, Cowan, Craddock, Cunningham, Davis, Elstun, Enright, Finley, Fisher, Flanigan, Foley, Fraser, Gants, Gesner, Gordon, Grass, Ham, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Ingalls, Jeffries, Johnson, Jones, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Mercer, Miller, Milligan, Mitchell, Montee, Oshant, Patterson, Plumb, Potts, Price, Reynard, Rich, Richmond, Rochester, Ryan, Saunders, Shepard, Sherer, Sipple, Skinner, Sourbeer, Stockton, Stone, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Warren, Wells, White, Wilson, Woodhouse, and Mr. Speaker.

Members absent or not voting were: Archer, Berryman, Brierley, Chatten, Clark, Creech, Crumly, Curran, Davidson of Sedgwick, Davison of Marion, Dennis, Edwards, Guyer, Haskins, Helmick, Husey, Kiff, Kinnison, Martin, Mayhew, Morgan of Hodgeman, Morgan of Reno, Murphy, Myers, Neihart, O'Conner, Padgett, Peter, Pohlman, Polley, Pomeroy, Rall, Ransom, Rhodes, Richardson, Rockefeller, Roush, Schmidt, Snyder, Stannard, Tannahill, Umholtz, Westcott, and Wheeler.

A constitutional majority having voted in favor of the passage of the bill as amended, the bill passed, and the title was agreed to.

House bill No. 108, An act regulating the salary of the clerk of the district court of Harper county, state of Kansas, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 78, nays 0; absent or not voting, 44.

Members voting in favor of the passage of the bill were: Adams, Banks, Beeson, Bird, Blaine, Boggs, Boyle, Brandon, Brown, Cole, Cottingham, Cowan, Craddock, Cunningham, Davis, Elstun, Enright, Finley, Fisher, Flanigan, Foley, Fraser, Gants, Gesner, Gordon, Grass, Ham, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Ingalls, Jeffries, Johnson, Jones, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Mercer, Miller, Milligan, Mitchell, Montee, Oshant, Patterson, Plumb, Potts, Price, Reynard, Rich, Richmond, Rochester, Ryan, Saunders, Shepard, Sherer, Sipple, Skinner, Sourbeer, Stockton, Stone, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Warren, Wells, White, Wilson, Woodhouse, and Mr. Speaker.

Members absent or not voting were: Archer, Berryman, Brierley, Chatten, Clark, Creech, Crumly, Curran, Davidson of Sedgwick, Davison of Marion, Dennis, Edwards, Guyer, Haskins, Helmick, Husey, Kiff, Kinnison, Martin, Mayhew,

Morgan of Hodgeman, Morgan of Reno, Murphy, Myers, Neihart, O'Conner, Padgett, Peter, Pohlman, Polley, Pomeroy, Rall, Ransom, Rhodes, Richardson, Rockefeller, Roush, Schmidt, Snyder, Stannard, Tannahill, Umholtz, Westcott, and Wheeler.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 122, An act to authorize the township board of Sherman township, Sedgwick county, Kansas, to issue bonds for the purpose of erecting a public building and to purchase a site therefor, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 78, nays 0; absent or not voting, 44.

Members voting in favor of the passage of the bill were: Adams, Banks, Beeson, Bird, Blaine, Boggs, Boyle, Brandon, Brown, Cole, Cottingham, Cowan, Craddock, Cunningham, Davis, Elstun, Enright, Finley, Fisher, Flanigan, Foley, Fraser, Gants, Gesner, Gordon, Grass, Ham, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Ingalls, Jeffries, Johnson, Jones, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Mercer, Miller, Milligan, Mitchell, Montee, Oshant, Patterson, Plumb, Potts, Price, Reynard, Rich, Richmond, Rochester, Ryan, Saunders, Shepard, Sherer, Sipple, Skinner, Sourbeer, Stockton, Stone, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Warren, Wells, White, Wilson, Woodhouse, and Mr. Speaker.

Members absent or not voting were: Archer, Berryman, Brierley, Chatten, Clark, Creech, Crumly, Curran, Davidson of Sedgwick, Davison of Marion, Dennis, Edwards, Guyer, Haskins, Helmick, Husey, Kiff, Kinnison, Martin, Mayhew, Morgan of Hodgeman, Morgan of Reno, Murphy, Myers, Neihart, O'Conner, Padgett, Peter, Pohlman, Polley, Pomeroy, Rall, Ransom, Rhodes, Richardson, Rockefeller, Roush, Schmidt, Snyder, Stannard, Tannahill, Umholtz, Westcott, and Wheeler.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 11, An act to amend section 1 of chapter 75 of the Session Laws 1907, was read the third time, and the question being, Shall the bill pass as amended? the roll was called, with the following result: Yeas 78, nays 0; absent or not voting, 44.

Members voting in favor of the passage of the bill were: Adams, Banks, Beeson, Bird, Blaine, Boggs, Boyle, Brandon, Brown, Cole, Cottingham, Cowan, Craddock, Cunningham, Davis, Elstun, Enright, Finley, Fisher, Flanigan, Foley, Fraser, Gants, Gesner, Gordon, Grass, Ham, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Ingalls, Jeffries, Johnson, Jones, Kirtland, Lander, Lehman, Le-

land, Lennen, Leydig, McGillivray, Mercer, Miller, Milligan, Mitchell, Montee, Oshant, Patterson, Plumb, Potts, Price, Reynard, Rich, Richmond, Rochester, Ryan, Saunders, Shepard, Sherer, Sipple, Skinner, Sourbeer, Stockton, Stone, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Warren, Wells, White, Wilson, Woodhouse, and Mr. Speaker.

Members absent or not voting were: Archer, Berryman, Brierley, Chatten, Clark, Creech, Crumly, Curran, Davidson of Sedgwick, Davison of Marion, Dennis, Edwards, Guyer, Haskins, Helmick, Husey, Kiff, Kinnison, Martin, Mayhew, Morgan of Hodgeman, Morgan of Reno, Murphy, Myers, Neihart, O'Conner, Padgett, Peter, Pohlman, Polley, Pomeroy, Rall, Ransom, Rhodes, Richardson, Rockefeller, Roush, Schmidt, Snyder, Stannard, Tannahill, Umholtz, Westcott, and Wheeler.

A constitutional majority having voted in favor of the passage of the bill as amended, the bill passed, and the title was agreed to.

House bill No. 40, An act authorizing Mitchell township, in Rice county, Kansas, to take and appropriate a sum, not to exceed the sum of one thousand dollars, out of the general fund of said township, and to use the same in the erection and furnishing of a township hall, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 78, nays 0; absent or not voting, 44.

Members voting in favor of the passage of the bill were: Adams, Banks, Beeson, Bird, Blaine, Boggs, Boyle, Brandon, Brown, Cole, Cottingham, Cowan, Craddock, Cunningham, Davis, Elstun, Enright, Finley, Fisher, Flanigan, Foley, Fraser, Gants, Gesner, Gordon, Grass, Ham, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Ingalls, Jeffries, Johnson, Jones, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Mercer, Miller, Milligan, Mitchell, Montee, Oshant, Patterson, Plumb, Potts, Price, Reynard, Rich, Richmond, Rochester, Ryan, Saunders, Shepard, Sherer, Sipple, Skinner, Sourbeer, Stockton, Stone, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Warren, Wells, White, Wilson, Woodhouse, and Mr. Speaker.

Members absent or not voting were: Archer, Berryman, Brierley, Chatten, Clark, Creech, Crumly, Curran, Davidson of Sedgwick, Davison of Marion, Dennis, Edwards, Guyer, Haskins, Helmick, Husey, Kiff, Kinnison, Martin, Mayhew, Morgan of Hodgeman, Morgan of Reno, Murphy, Myers, Neihart, O'Conner, Padgett, Peter, Pohlman, Polley, Pomeroy, Rall, Ransom, Rhodes, Richardson, Rockefeller, Roush, Schmidt, Snyder, Stannard, Tannahill, Umholtz, Westcott, and Wheeler.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 36, An act to authorize the board of county commissioners of Osage county to erect a bridge across the Marais des Cygnes river, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 78, nays 0; absent or not voting, 44.

Members voting in favor of the passage of the bill were: Adams, Banks, Beeson, Bird, Blaine, Boggs, Boyle, Brandon, Brown, Cole, Cottingham, Cowan, Craddock, Cunningham, Davis, Elstun, Enright, Finley, Fisher, Flanigan, Foley, Fraser, Gants, Gesner, Gordon, Grass, Ham, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Ingalls, Jeffries, Johnson, Jones, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Mercer, Miller, Milligan, Mitchell, Montee, Oshant, Patterson, Plumb, Potts, Price, Reynard, Rich, Richmond, Rochester, Ryan, Saunders, Shepard, Sherer, Sipple, Skinner, Sourbeer, Stockton, Stone, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Warren, Wells, White, Wilson, Woodhouse, and Mr. Speaker.

Members absent or not voting were: Archer, Berryman, Brierley, Chatten, Clark, Creech, Crumly, Curran, Davidson of Sedgwick, Davison of Marion, Dennis, Edwards, Guyer, Haskins, Helmick, Husey, Kiff, Kinnison, Martin, Mayhew, Morgan of Hodgeman, Morgan of Reno, Murphy, Myers, Neihart, O'Conner, Padgett, Peter, Pohlman, Polley, Pomeroy, Rall, Ransom, Rhodes, Richardson, Rockefeller, Roush, Schmidt, Snyder, Stannard, Tannahill, Umholtz, Westcott, and Wheeler.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 22, An act to legalize the issue of certain bonds by the city of Winfield, was read the third time, and the question being, Shall the bill pass as amended? the roll was called, with the following result: Yeas 78, nays 0; absent or not voting, 44.

Members voting in favor of the passage of the bill were: Adams, Banks, Beeson, Bird, Blaine, Boggs, Boyle, Brandon, Brown, Cole, Cottingham, Cowan, Craddock, Cunningham, Davis, Elstun, Enright, Finley, Fisher, Flanigan, Foley, Fraser, Gants, Gesner, Gordon, Grass, Ham, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Ingalls, Jeffries, Johnson, Jones, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Mercer, Miller, Milligan, Mitchell, Montee, Oshant, Patterson, Plumb, Potts, Price, Reynard, Rich, Richmond, Rochester, Ryan, Saunders, Shepard, Sherer, Sipple, Skinner, Sourbeer, Stockton, Stone, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Warren, Wells, White, Wilson, Woodhouse, and Mr. Speaker.

Members absent or not voting were: Archer, Berryman, Brierley, Chatten, Clark, Creech, Crumly, Curran, Davidson

of Sedgwick, Davison of Marion, Dennis, Edwards, Guyer, Haskins, Helmick, Husey, Kiff, Kinnison, Martin, Mayhew, Morgan of Hodgeman, Morgan of Reno, Murphy, Myers, Neihart, O'Conner, Padgett, Peter, Pohlman, Polley, Pomeroy, Rall, Ransom, Rhodes, Richardson, Rockefeller, Roush, Schmidt, Snyder, Stannard, Tannahill, Umholtz, Westcott, and Wheeler.

A constitutional majority having voted in favor of the passage of the bill as amended, the bill passed, and the title was agreed to.

House bill No. 23, An act to amend section 1 of chapter 164 of the Laws of Kansas, 1905, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 78, nays 0; absent or not voting, 44.

Members voting in favor of the passage of the bill were: Adams, Banks, Beeson, Bird, Blaine, Boggs, Boyle, Brandon, Brown, Cole, Cottingham, Cowan, Craddock, Cunningham, Davis, Elstun, Enright, Finley, Fisher, Flanigan, Foley, Fraser, Gants, Gesner, Gordon, Grass, Ham, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Ingalls, Jeffries, Johnson, Jones, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Mercer, Miller, Milligan, Mitchell, Montee, Oshant, Patterson, Plumb, Potts, Price, Reynard, Rich, Richmond, Rochester, Ryan, Saunders, Shepard, Sherer, Sipple, Skinner, Sourbeer, Stockton, Stone, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Warren, Wells, White, Wilson, Woodhouse, and Mr. Speaker.

Members absent or not voting were: Archer, Berryman, Brierley, Chatten, Clark, Creech, Crumly, Curran, Davidson of Sedgwick, Davison of Marion, Dennis, Edwards, Guyer, Haskins, Helmick, Husey, Kiff, Kinnison, Martin, Mayhew, Morgan of Hodgeman, Morgan of Reno, Murphy, Myers, Neihart, O'Conner, Padgett, Peter, Pohlman, Polley, Pomeroy, Rall, Ransom, Rhodes, Richardson, Rockefeller, Roush, Schmidt, Snyder, Stannard, Tannahill, Umholtz, Westcott, and Wheeler.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 3, An act authorizing the board of county commissioners of Shawnee county, Kansas, to sell the fair-grounds belonging to Shawnee county and purchase other land with the proceeds of such sale, or to purchase other land to enlarge the present fair-grounds and levy a tax for the purpose of purchasing additional lands if found necessary, and the erection of permanent buildings and improvements on such fair-grounds, and repealing chapter 161 of the Laws of 1907, was read the third time, and the question being, Shall

the bill pass? the roll was called, with the following result: Yeas 78, nays 0; absent or not voting, 44.

Members voting in favor of the passage of the bill were: Adams, Banks, Beeson, Bird, Blaine, Boggs, Boyle, Brandon, Brown, Cole, Cottingham, Cowan, Craddock, Cunningham, Davis, Elstun, Enright, Finley, Fisher, Flanigan, Foley, Fraser, Gants, Gesner, Gordon, Grass, Ham, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Ingalls, Jeffries, Johnson, Jones, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Mercer, Miller, Milligan, Mitchell, Montee, Oshant, Patterson, Plumb, Potts, Price, Reynard, Rich, Richmond, Rochester, Ryan, Saunders, Shepard, Sherer, Sipple, Skinner, Sourbeer, Stockton, Stone, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Warren, Wells, White, Wilson, Woodhouse, and Mr. Speaker.

Members absent or not voting were: Archer, Berryman, Brierley, Chatten, Clark, Creech, Crumly, Curran, Davidson of Sedgwick, Davison of Marion, Dennis, Edwards, Guyer, Haskins, Helmick, Husey, Kiff, Kinnison, Martin, Mayhew, Morgan of Hodgeman, Morgan of Reno, Murphy, Myers, Neihart, O'Conner, Padgett, Peter, Pohlman, Polley, Pomeroy, Rall, Ransom, Rhodes, Richardson, Rockefeller, Roush, Schmidt, Snyder, Stannard, Tannahill, Umholtz, Westcott, and Wheeler.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 41, An act to authorize the city of Winfield, in Cowley county, to issue its bonds for the purpose of paying for the operation, improvement and extension of its water-works plant, was read the third time, and the question being, Shall the bill pass as amended? the roll was called, with the following result: Yeas 78, nays 0; absent or not voting, 44.

Members voting in favor of the passage of the bill were: Adams, Banks, Beeson, Bird, Blaine, Boggs, Boyle, Brandon, Brown, Cole, Cottingham, Cowan, Craddock, Cunningham, Davis, Elstun, Enright, Finley, Fisher, Flanigan, Foley, Fraser, Gants, Gesner, Gordon, Grass, Ham, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Ingalls, Jeffries, Johnson, Jones, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Mercer, Miller, Milligan, Mitchell, Montee, Oshant, Patterson, Plumb, Potts, Price, Reynard, Rich, Richmond, Rochester, Ryan, Saunders, Shepard, Sherer, Sipple, Skinner, Sourbeer, Stockton, Stone, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Warren, Wells, White, Wilson, Woodhouse, and Mr. Speaker.

Members absent or not voting were: Archer, Berryman, Brierley, Chatten, Clark, Creech, Crumly, Curran, Davidson of Sedgwick, Davison of Marion, Dennis, Edwards, Guyer, Haskins, Helmick, Husey, Kiff, Kinnison, Martin, Mayhew, Morgan of Hodgeman, Morgan of Reno, Murphy, Myers, Nei-

hart, O'Conner, Padgett, Peter, Pohlman, Polley, Pomeroy, Rall, Ransom, Rhodes, Richardson, Rockefeller, Roush, Schmidt, Snyder, Stannard, Tannahill, Umholtz, Westcott, and Wheeler.

A constitutional majority having voted in favor of the passage of the bill as amended, the bill passed, and the title was agreed to.

House bill No. 25, An act to amend section 2 of chapter 76 of the Session Laws of 1907, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 78, nays 0; absent or not voting, 44.

Members voting in favor of the passage of the bill were: Adams, Banks, Beeson, Bird, Blaine, Boggs, Boyle, Brandon, Brown, Cole, Cottingham, Cowan, Craddock, Cunningham, Davis, Elstun, Enright, Finley, Fisher, Flanigan, Foley, Fraser, Gants, Gesner, Gordon, Grass, Ham, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Ingalls, Jeffries, Johnson, Jones, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Mercer, Miller, Milligan, Mitchell, Montee, Oshant, Patterson, Plumb, Potts, Price, Reynard, Rich, Richmond, Rochester, Ryan, Saunders, Shepard, Sherer, Sipple, Skinner, Sourbeer, Stockton, Stone, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Warren, Wells, White, Wilson, Woodhouse, and Mr. Speaker.

Members absent or not voting were: Archer, Berryman, Brierley, Chatten, Clark, Creech, Crumly, Curran, Davidson of Sedgwick, Davison of Marion, Dennis, Edwards, Guyer, Haskins, Helmick, Husey, Kiff, Kinnison, Martin, Mayhew, Morgan of Hodgeman, Morgan of Reno, Murphy, Myers, Neihart, O'Conner, Padgett, Peter, Pohlman, Polley, Pomeroy, Rall, Ransom, Rhodes, Richardson, Rockefeller, Roush, Schmidt, Snyder, Stannard, Tannahill, Umholtz, Westcott, and Wheeler.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 24, An act to amend section 2, chapter 74, of the Session Laws of 1907, was read the third time, and the question being, Shall the bill pass as amended? the roll was called, with the following result: Yeas 78, nays 0; absent or not voting, 44.

Members voting in favor of the passage of the bill were: Adams, Banks, Beeson, Bird, Blaine, Boggs, Boyle, Brandon, Brown, Cole, Cottingham, Cowan, Craddock, Cunningham, Davis, Elstun, Enright, Finley, Fisher, Flanigan, Foley, Fraser, Gants, Gesner, Gordon, Grass, Ham, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Ingalls, Jeffries, Johnson, Jones, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Mercer, Miller, Milligan, Mitchell, Montee, Oshant, Patterson, Plumb, Potts, Price, Rey-

nard, Rich, Richmond, Rochester, Ryan, Saunders, Shepard, Sherer, Sipple, Skinner, Sourbeer, Stockton, Stone, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Warren, Wells, White, Wilson, Woodhouse, and Mr. Speaker.

Members absent or not voting were: Archer, Berryman, Brierley, Chatten, Clark, Creech, Crumly, Curran, Davidson of Sedgwick, Davison of Marion, Dennis, Edwards, Guyer, Haskins, Helmick, Husey, Kiff, Kinnison, Martin, Mayhew, Morgan of Hodgeman, Morgan of Reno, Murphy, Myers, Neihart, O'Conner, Padgett, Peter, Pohlman, Polley, Pomeroy, Rall, Ransom, Rhodes, Richardson, Rockefeller, Roush, Schmidt, Snyder, Stannard, Tannahill, Umholtz, Westcott, and Wheeler.

A constitutional majority having voted in favor of the passage of the bill as amended, the bill passed, and the title was agreed to.

Senate bill No. 4, An act to authorize the board of education of the city of Lawrence, in Douglas county, Kansas, to increase the rate of interest upon a certain bond issue, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 78, nays 0; absent or not voting, 44.

Members voting in favor of the passage of the bill were: Adams, Banks, Beeson, Bird, Blaine, Boggs, Boyle, Brandon, Brown, Cole, Cottingham, Cowan, Craddock, Cunningham, Davis, Elstun, Enright, Finley, Fisher, Flanigan, Foley, Fraser, Gants, Gesner, Gordon, Grass, Ham, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Ingalls, Jeffries, Johnson, Jones, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Mercer, Miller, Milligan, Mitchell, Montee, Oshant, Patterson, Plumb, Potts, Price, Reynard, Rich, Richmond, Rochester, Ryan, Saunders, Shepard, Sherer, Sipple, Skinner, Sourbeer, Stockton, Stone, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Warren, Wells, White, Wilson, Woodhouse, and Mr. Speaker.

Members absent or not voting were: Archer, Berryman, Brierley, Chatten, Clark, Creech, Crumly, Curran, Davidson of Sedgwick, Davison of Marion, Dennis, Edwards, Guyer, Haskins, Helmick, Husey, Kiff, Kinnison, Martin, Mayhew, Morgan of Hodgeman, Morgan of Reno, Murphy, Myers, Neihart, O'Conner, Padgett, Peter, Pohlman, Polley, Pomeroy, Rall, Ransom, Rhodes, Richardson, Rockefeller, Roush, Schmidt, Snyder, Stannard, Tannahill, Umholtz, Westcott, and Wheeler.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

COMMITTEE OF THE WHOLE.

Mr. Bird moved that the House go into committee of the whole for the consideration of bills on the Calendar under the head of "General Orders." A vote being had, the motion prevailed.

The House went into committee of the whole, with Mr. Mitchell in the chair.

After some time spent therein the committee rose, and through the chairman submitted the following report:

MR. SPEAKER: The committee of the whole House have had under consideration bills on the Calendar under the head of "General Orders," and I am directed to report as follows:

Recommend that the consideration of House bill No. 54, An act concerning assessment and taxation, and to amend section 17 of chapter 408 of the Session Laws of 1907, and to repeal sections 7611 and 7702 of the General Statutes of 1901, be deferred, and the bill retain its place on the Calendar.

That House bill No. 78, An act vacating vacant unimproved town sites, be amended as recommended by the Committee on Judiciary, by striking out all after the word and figure "Section 1" and inserting the following: "That all of the town site of Rock Island, in Grant county, Kansas, be and the same is hereby vacated," and that it be passed as amended.

That further consideration of House bill No. 56, An act to amend sections 3, 4 and 10 of chapter 502 of the Session Laws of 1905, and to provide for the assessment and valuation for purposes of taxation of telephone companies, oil pipe-line companies and gas pipe-line companies which are local in their character and confined to the limits of a single county, be deferred, and the bill retain its place on the Calendar.

A. C. MITCHELL, *Chairman.*

Mr. Mitchell moved the adoption of the report of the committee of the whole, which motion prevailed.

Mr. Ingalls asked unanimous consent to offer House resolution No. 5, Relating to allowing each member of the House five dollars for postage, which consent was granted.

Mr. Ingalls moved the adoption of House resolution No. 5, which motion prevailed.

Mr. White moved to take a recess until 1:30 P. M., which motion prevailed.

AFTERNOON SESSION.

The House reconvened at 1:30 P. M., with Speaker Simmons in the chair.

Mr. Beeson moved that the motion made by Mr. Leland, relating to the use of the long-distance telephone, be reconsidered, which motion prevailed.

Mr. Beeson offered, as a substitute to Mr. Leland's motion, the following:

I move that each member of this House be allowed the privilege of using one of the long-distance telephones once each day, the state to pay for said service. Any service over and above once a day for each member to be paid for by the member using the telephone. No other than

members of the House to be allowed this privilege, and no others except members of this House shall be allowed this privilege free of charge.

Which motion prevailed.

REPORT OF STANDING COMMITTEE.

Mr. Curran, chairman of the Committee on Mileage, submitted the following report:

MR. SPEAKER: Your Committee on Mileage beg leave to report as follows: That the members of the House of Representatives are entitled to pay for mileage as shown by the number of miles set opposite their respective names, as follows:

Name.	Miles.	Am.	Name.	Miles.	Am.
Adams	602	\$90 30	Mayhew	380	\$57 00
Archer	100	15 00	Mercer	190	28 50
Banks	332	49 80	Miller	768	115 20
Beeson	608	91 20	Milligan	106	15 90
Berryman	666	99 90	Mitchell	52	7 80
Bird .....	.....	.....	Montee	424	63 60
Blaine	412	61 80	Morgan of Hodgeman.....	620	93 00
Boggs	434	65 10	Morgan of Reno.....	340	51 00
Boyle	744	111 60	Murphy	290	43 50
Brandon	320	48 00	Myers	164	24 60
Brierley	300	45 00	Nelhart	36	5 40
Brown	460	69 00	O'Connor	128	19 20
Chatten	460	69 00	Oshant	444	66 60
Clark	90	13 50	Padgett	270	40 50
Cole	532	79 80	Patterson	680	102 00
Cottingham	436	65 40	Peter	158	23 70
Cowan	418	62 40	Plumb	124	18 60
Craddock	910	136 50	Pohlman	330	49 50
Crumly	668	100 20	Polley	332	49 80
Cunningham	428	63 90	Pomeroy	76	11 40
Curran	612	91 80	Potts	200	30 00
Davidson of Sedgwick.....	324	48 60	Price	620	93 00
Davis	328	49 20	Rail	432	64 80
Davidson of Marion.....	236	35 40	Ransom	134	20 10
Dennis	628	94 20	Reynard	120	18 00
Edwards	216	32 40	Rhodes	256	38 40
Elstun	290	43 50	Rich	838	125 70
Enright	136	20 40	Richardson	104	15 60
Finley	860	129 00	Richmond	550	82 50
Fisher	440	66 00	Rocheater	716	107 40
Flanigan	636	95 40	Rockefeller	400	60 00
Foley	368	54 90	Roush	68	10 20
Fraser	212	31 80	Ryan	155	23 25
Gants	122	18 30	Saunders	350	52 50
Gesner	580	87 00	Schmidt	146	21 90
Gordon	136	20 40	Shepard	430	64 50
Grass	580	87 00	Sherer	504	75 60
Guyer	448	67 20	Simmons	340	51 00
Ham	450	67 50	Sipple	300	45 00
Hart	690	103 50	Skinner	294	44 10
Haskins	180	27 00	Snyder	120	18 00
Helmick	248	37 20	Sourbeer	410	61 50
Hendricks	834	125 10	Stannard	124	18 60
Holden of Greeley.....	808	121 20	Stockton	222	33 30
Holdren of Montgomery.....	320	48 00	Stone .....	.....	.....
Husey	324	48 60	Stubbs	52	7 80
Hutcheson	14	2 10	Sweeny	490	73 50
Ingalls	103	15 45	Swope	345	51 75
Jeffries	440	66 00	Tannahill	540	81 00
Johnson	246	36 90	Taylor	444	66 60
Jones	506	75 90	Thompson	400	60 00
Kir	102	15 30	Tredway	230	34 50
Kinnison	708	106 20	Umholtz	93	13 95
Kirtland	248	37 20	Warren	216	32 40
Lander	288	43 20	Wells	520	78 00
Lehman	474	71 10	Westcott	476	71 40
Leland	150	22 50	Wheeler	436	65 40
Lennen	610	91 50	White	284	42 60
Leydig	272	40 80	Wilson	212	31 80
McGillivray	816	122 40	Woodhouse	724	108 60
Martin	136	20 40			

Mr. Helmick moved that the report be accepted and filed, which motion prevailed.

ORIGINAL MOTIONS AND RESOLUTIONS.

Mr. Brierley offered House resolution No. 6, as follows:

Resolved, That it is the sense of this House that Jessie Morrison be pardoned, inasmuch as no woman and several men have been benefited by the pardoning power.

The hour having arrived for the consideration of bills under the head of "Special Orders," further action was deferred.

REPORT OF STANDING COMMITTEE.

Mr. Davison, chairman of the Committee on Elections, asked unanimous consent to submit the following report:

MR. SPEAKER: Your Committee on Elections, to whom was referred House bill No. 18, An act relating to primary elections, providing for the organization and government of political parties, repealing chapter 115, Laws of 1891, and all acts and parts of acts in conflict herewith, and prescribing and fixing penalties for the violation hereof, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be amended as follows:

Section 2: In line 9 the words "three thousand" be stricken out and the words "five thousand" inserted in lieu thereof.

Section 3: In line 6 the words "three thousand" be stricken out and the words "five thousand" inserted in lieu thereof. In line 2 strike out all after the word "and" down to and including the word "March" in line 3.

Section 5: In lines 13 and 14, by striking out the words in parentheses and inserting after the word "May" in line 13 the words "in ——— and in cities having a population of five thousand or more on the first Tuesday in March."

Section 10: By striking out all after the figures "1901," in line 35, down to and including the word "held" in line 44.

Insert as section 14 the following:

SEC. 14. At each general election held in the state of Kansas, at which a legislature is chosen whose duty it shall be to elect a United States senator, the candidates of each political party for said office of United States senator shall be voted for at said general election. At least thirty days prior to the general election, the secretary of state shall make out separate lists of the candidates for United States senator for each party ticket and arrange them in alphabetical order in relation to surnames, and certify a true copy of each of said party tickets to each county clerk in the state. Each county clerk shall have the names of candidates for United States senator, certified to him by the secretary of state, printed upon separate party ballots, arranging the names of all candidates of each party upon each party ballot in the order given in the certificate of the secretary of state. The number of such ballots to be printed, the type and paper to be used in printing them, and the manner of their distribution shall be regulated by the provisions of law relative to the general ballots to be used at said general election. Said ballots shall be prepared, arranged and printed, substantially, in the following form:

.....UNITED STATES SENATOR BALLOT.

(Name of party.)

Vote for one, making a cross in the square opposite the name of the person for whom you wish to vote.

For United States senator:

JOHN DOE.

JOHN SMITH.

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

On the back, or outside, of the United States senator ballot shall be printed, so as to appear when the ballot is folded, the words: "United States Senator Ballot,Party," followed by the name of the county, the date of the

(Name of party.) election, and a facsimile of the signature of the county clerk.

At the general election any person desiring to vote for a United States senator shall state his name, residence and party affiliation to the judges, one of whom shall

thereupon announce the same in a distinct tone of voice, sufficiently loud to be heard by those present in the polling-place. If the person desiring to vote be not challenged, one of the judges shall give to him one, and only one, United States senator ballot of the political party with which he declares himself to be affiliated, on the back of which such judge shall indorse his initials in such a manner that they may be seen when the ballot is properly folded. If the person desiring to vote be challenged he shall not receive a United States senator ballot until he shall establish his right to vote such ballot, as hereinafter provided. No person who refuses to state his party affiliation shall be allowed to vote at such election for a United States senator.

Any person offering to vote for a United States senator may be challenged, in addition to the other grounds now provided by law, upon the ground that he is not a member of the political party with which he declares himself to be affiliated, and, when so challenged, the same proceedings shall be had as are provided for in sections 11 and 12.

The votes for United States senator shall be counted, recorded and certified the same as the votes for all other officers, and the laws relative to the canvass of the returns of other officers shall apply to the canvass of the votes for United States senator, so far as applicable. The secretary of state shall certify to each representative and state senator elected to the Legislature at the time he transmits to such representative or state senator his certificate of election, and to each state senator elected at a prior election but who is entitled to vote for United States senator at the next session of the Legislature, an abstract showing the votes cast for all candidates of his party for United States senator in his representative or senatorial district, as the case may be.

The candidate for United States senator receiving the highest number of votes of his party in any legislative or senatorial district shall be entitled to the support and vote of the representative or state senator nominated by his party and elected, or holding over, from said representative or senatorial district.

The candidate for United States senator receiving the highest number of votes in each of a majority of the representative and senatorial districts which will be represented in the following Legislature by representatives and state senators belonging to his political party shall be declared the nominee of said political party, and if no one candidate shall receive the highest number of votes of his party in a majority of the representative and senatorial districts which elected or had holding-over senators or representatives elected by his party, then the candidate receiving the highest number of votes of his party in the state shall be the choice of his party for United States senator.

Amend section 5 by adding subdivision (d) at end of section:

(d) Nomination papers of independent candidates shall be signed as herein provided for party candidates, providing that the vote used as a basis for securing names to nomination papers shall be as provided for under the general election law (the vote cast for mayor at the last election).

IKE W. CRUMLY.
M. W. CHATTEN.
W. M. KINNISON.
F. B. WHEELER.
G. W. SCHMIDT.

MR. SPEAKER: A minority of your Committee on Elections beg leave to submit the following report on House bill No. 18: We recommend that it be passed with all the amendments recommended in the majority report of the committee, except the insertion of the new section numbered 14 and the renumbering of the sections to conform to the new section No. 14.

E. F. DAVISON.
C. L. DAVIDSON.
W. A. CLARK.
G. H. TANNAHILL.

COMMITTEE OF THE WHOLE.

Mr. Davison moved that the House go into committee of the whole for the consideration of bills on the Calendar under the head of "Special Orders." A vote being had, the motion prevailed.

The House went into committee of the whole, with Mr. Padgett in the chair.

After some time spent therein the committee rose, and through the chairman submitted the following report:

MR. SPEAKER: The committee of the whole House have had under con-

sideration bills on the Calendar under the head of "Special Orders," and I am directed to report as follows:

Recommend that House bill No. 18, An act relating to primary elections, providing for the organization and government of political parties, repealing chapter 115, Laws of 1891, and all other acts and parts of acts in conflict herewith, and prescribing and fixing penalties for the violation hereof, be amended, in section 2, as amended by the Committee on Elections; in line 5, after word "senator," by inserting the following: "delegates and alternates to the various party national conventions and national committeeman"; also, in line 10, by striking out all after and including the word "now," down to the end of section.

Section 3: Line 2 be amended as recommended by the Committee on Elections, and by striking out word "third" and inserting word "first"; in line 5, by inserting after the word "election" the following: "And all delegates and alternates to the various party national conventions for the year and for all national committeemen."

Section 5: Line 15 be amended by striking out the word "third" and inserting the word "first" in lieu thereof; in line 29, by inserting after the word "number" the words "(if any)" in parentheses, and after the word "township" the words "or city of third class"; in line 40, by inserting a comma after the word "candidate" and inserting the following words: "and shall be *prima facie* evidence of the fact therein stated."

Section 6: Line 5 be amended by inserting after the word "convention" the words "and national committeeman."

That the committee report progress and ask leave to sit again.

W. W. PADGETT, *Chairman*.

Mr. Padgett moved the adoption of the report of the committee of the whole, which motion prevailed.

Mr. Grass moved that we take a recess until 7:30 this evening.

Mr. Wheeler moved, as an amendment to the motion, that we adjourn.

A *viva voce* vote was had; the chair being in doubt, a division was called for, which resulted in favor of the amendment.

On demand of the requisite number of members, a roll-call was ordered, with the following result:

The question being, Shall the motion prevail? the roll was called, with the following result: Yeas 51, nays 59; absent or not voting, 12.

Members voting in the affirmative were: Messrs. Beeson, Berryman, Bird, Boyle, Cowan, Craddock, Cunningham, Curran, Edwards, Elstun, Enright, Gants, Gesner, Gordon, Helmick, Holden of Wichita, Holdren of Montgomery, Husey, Hutcheson, Jeffries, Johnson, Jones, Kiff, Kinnison, Lehman, McGillivray, Mayhew, Miller, Milligan, Montee, Morgan of Hodgeman, Morgan of Reno, Myers, Polley, Pomeroy, Ransom, Reynard, Rhodes, Rich, Richmond, Rochester, Ryan, Schmidt, Shepard, Sourbeer, Taylor, Umholtz, Wheeler, Woodhouse, and Mr. Speaker Simmons.

Members voting in the negative were: Messrs. Adams, Archer, Banks, Blaine, Boggs, Brandon, Brierley, Clark, Cottingham, Crumly, Davidson of Sedgwick, Davis, Davison of Marion, Dennis, Fisher, Flanigan, Foley, Fraser, Grass, Guyer, Ham, Hart, Hendricks, Ingalls, Kirtland, Lander, Leland, Len-

nen, Leydig, Martin, Mercer, Mitchell, Murphy, Neihart, Oshant, Padgett, Peter, Plumb, Potts, Price, Rockefeller, Roush, Saunders, Sherer, Sipple, Skinner, Stannard, Stockton, Stone, Stubbs, Sweeny, Swope, Tannahill, Thompson, Tredway, Warren, Wells, White, and Wilson.

Members absent or not voting were: Messrs. Brown, Chat-ten, Creech, Finley, Haskins, O'Conner, Patterson, Pohlman, Richardson, Snyder, and Westcott.

A majority not having voted in favor of the amendment, the same did not prevail. The question now being on the motion of Mr. Grass, the motion prevailed.

EVENING SESSION.

The House reconvened at 7:30, with Speaker Simmons in the chair.

COMMITTEE OF THE WHOLE.

Mr. Stannard moved that the House go into committee of the whole for the consideration of bills on the Calendar under the head of "Special Orders." A vote being had, the motion prevailed.

The House went into committee of the whole, with Mr. Padgett in the chair.

After some time spent therein the committee rose, and through the chairman submitted the following report:

MR. SPEAKER: The committee of the whole House have had under consideration bills on the Calendar under the head of "Special Orders," and I am directed to report as follows:

Recommend that House bill No. 18, An act relating to primary elections, providing for the organization and government of political parties, repealing chapter 115, Laws of 1891, and all other acts and parts of acts in conflict herewith, and prescribing and fixing penalties for the violation hereof, be amended, in section 8, line 10, by adding at end of section the following: "The printing of all ballots required under the provisions of this act shall be let to the lowest responsible bidder."

Section 9: On page 20, under head of "Member of School Board," change "vote for six" to "vote for —."

Section 10 be amended as recommended by the Committee on Elections; also, in line 14, by inserting after the figures "1903" the following: "Except, that the printing of the ballots shall be let to the lowest responsible bidder, as provided for in section 8 of this act; in line 19, by striking out figures "1907" and inserting in lieu thereof figures "1897"; and in line 22 by striking out figures "228" and inserting figures "222" in lieu thereof.

That the committee report progress, and ask leave to sit again.

W. W. PADGETT, *Chairman.*

Mr. Padgett moved the adoption of the report of the committee of the whole, which motion prevailed.

Mr. Stubbs moved to have the special order of to-day continued to ten o'clock to-morrow morning, which motion prevailed.

Mr. Morgan moved that the House adjourn until ten o'clock A. M. to-morrow, which motion prevailed.

FIFTH DAY.

MORNING SESSION.

HALL OF THE HOUSE OF REPRESENTATIVES,
January 21, 1908—10 A. M.

The House convened, with Speaker Simmons in the chair.
The roll was called and 119 gentlemen were present and answered to their names.
Gentlemen absent were: Messrs. Creech, Pohlman, and Rall.
Gentlemen absent by leave were Messrs. Creech and Rall.
Quorum present.
Prayer by the chaplain.

READING AND CORRECTION OF THE JOURNAL.

Mr. Davison moved that the rules be suspended and the further reading of the Journal be dispensed with, and that the same be referred to the Committee on Supervision of the Journal, which motion prevailed.

PRESENTATION OF PETITIONS.

Mr. Adams presented House petition No. 3, Relating to the guaranty deposit law, which was referred to Committee on Banks and Banking.

Mr. Brierley presented House petition No. 4, Relating to the Kansas prohibitory law, which was referred to Committee on Temperance.

INTRODUCTION OF BILLS.

The following bills were introduced and read the first time:
By Mr. Enright: House bill No. 129, An act regulating the control and management of fire departments in cities of the first class, providing for a system of civil service therein, and repealing all laws in conflict therewith.

By Committee on Agriculture: House bill No. 130, An act to provide for a bounty on gopher, ground-mole and rabbit scalps, to require a license to carry a gun, providing a penalty for the violation of this act, requiring the bounty on rabbit scalps to be paid out of the license fund, and repealing all acts and parts of acts in conflict with this act.

SECOND READING AND REFERENCE OF BILLS.

Mr. Enright moved that an emergency be declared, the rules suspended, and that the above bills be read the second time, which motion prevailed, and the bills were thereupon read the second time and referred to the following committees.

Cities of the First Class:

House bill No. 129, An act regulating the control and management of fire departments in cities of the first class, providing for a system of civil service therein, and repealing all laws in conflict therewith.

Committee of the Whole:

House bill No. 130, An act to provide for a bounty on gopher, ground-mole and rabbit scalps, to require a license to carry a gun, providing a penalty for the violation of this act, requiring the bounty on rabbit scalps to be paid out of the license fund, and repealing all acts and parts of acts in conflict with this act.

SECOND READING AND REFERENCE OF SENATE BILLS.

The following Senate bills were read the second time and referred to committees indicated:

Judiciary:

Senate bill No. 82, An act providing for and designating the manner of selecting petit jurors and prescribing their qualifications in counties having more than 100,000 population, and imposing on the judge of the district court and other courts of general jurisdiction, if any, in such counties, the duty of selecting jurors, and prescribing their compensation, and authorizing said judge to appoint a clerk and fix his compensation, and repealing said sections 5 and 12.

Judiciary Local:

Senate bill No. 28, An act authorizing the board of county commissioners of Shawnee county, Kansas, to sell the fair-grounds belonging to Shawnee county and purchase other land with the proceeds of such sale, or to purchase other land to enlarge the present fair-grounds, and levy a tax for the purpose of purchasing additional lands, if found necessary, and the erection of permanent buildings and improvements on such fair-grounds, and repealing chapter 161 of the Laws of 1907.

Senate bill No. 58, An act authorizing and empowering the board of education of the city of Atchison to issue warrants for the payment for the construction of a high-school building in the city of Atchison.

Senate bill No. 59, An act authorizing the board of county commissioners of Linn county, Kansas, to pay the claim of C. H. Brown against said county out of the bridge fund thereof.

Senate bill No. 60, An act making appropriation to pay the claim against the state on the part of J. S. Dalziel.

Senate bill No. 68, An act to amend sections 1 and 2 of chapter 87 of Session Laws of 1887, entitled "An act providing for the building and repairing of bridges in Mitchell, Ottawa, Lincoln and Osborne counties, Kansas, and providing funds therefor."

Senate bill No. 73, An act regulating the salary of the clerk of the district court of Harper county.

Senate bill No. 74, An act creating and fixing the salary of the under-sheriff of Harper county.

Senate bill No. 75, An act declaring the person therein named the adopted daughter and heir of Dr. John M. Hunt and Sarah M. Hunt.

Senate bill No. 78, An act to provide for the meetings of the board of county commissioners of Harper county, Kansas.

Senate bill No. 87, An act fixing the salary of the deputy county clerk of Butler county, Kansas.

Senate bill No. 91, An act to amend chapter 268 of the Session Laws of 1905.

Elections:

Senate bill No. 1, An act providing for the selection for party nominees for United States senator.

Railroads:

Senate bill No. 3, An act concerning railroads, amending and repealing section 1 of chapter 272, Laws of 1907.

ORIGINAL MOTIONS AND RESOLUTIONS.

Mr. Brierley asked unanimous consent to withdraw House resolution No. 6, Relating to the pardon of Jessie Morrison, which consent was granted.

Mr. Stubbs asked unanimous consent to offer House concurrent resolution No. 5, Relating to the indorsement of William H. Taft for President of the United States, which consent was granted.

Mr. Stubbs moved that an emergency be declared, the rules suspended, and that House concurrent resolution No. 5 be adopted, which motion prevailed.

REPORTS OF STANDING COMMITTEES.

Mr. Davison, chairman of the Committee on Elections, submitted the following report:

MR. SPEAKER: Your Committee on Elections, to whom was referred House bill No. 104, An act relating to voting machines, etc., have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be not passed, as we do not consider it an emergency measure.

E. F. DAVISON, *Chairman*.

Mr. Potts, chairman of the Committee on Political Rights of Women, submitted the following report.

MR. SPEAKER: Your Committee on Political Rights of Women, to whom was referred House bill No. 29, An act conferring upon women the right to vote at city elections and to hold certain offices, have had the same under consideration, and instruct me to report the bill back to the House as not an emergency proposition, and that it be not passed.

Also, House bill No. 77, An act conferring upon women the right to vote for presidential electors, and recommend that it do not pass, for the reason that we fail to see an emergency.

P. J. POTTS, *Chairman*.

Mr. Milligan, chairman of the Committee on Hygiene and Public Health, submitted the following report:

MR. SPEAKER: Your Committee on Hygiene and Public Health, to whom was referred House bill No. 70, An act to prevent filthy practices in passenger-coaches, cars and depots, and prescribing penalties for the violation thereof, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be amended in first line of title of bill, after the word "cars," by adding "and depots," and in section 1, line 3, after the word "cars," by adding "and depots," and that it be passed as amended.

Also, House bill No. 85, An act amending chapter 254 of the Laws of 1901, the same being an act entitled "An act to create a State Board of Medical Registration and Examination, and to regulate the practice of medicine, surgery and osteopathy in the state of Kansas, to provide penalties for the violations thereof, and repealing chapter 68 of Session Laws of 1870," and recommend that it be passed.

Also, House bill No. 81, An act defining certain nuisances, authorizing state and local food and drug inspectors and state and local health officers to make inspection of certain places and things, to give written notice for the abatement of nuisances and unsanitary places found, providing penalties for the violation of the provisions of this act, and defining the duties of county attorneys in their relation hereto, and recommend that it be passed.

J. A. MILLIGAN, *Chairman.*

Mr. Helmick, chairman of the Committee on Oil and Gas, submitted the following report:

MR. SPEAKER: Your Committee on Oil and Gas, to whom was referred House bill No. 57, An act relating to private corporations, providing the terms and conditions of the sale and distribution of natural gas from Kansas gas fields, and providing remedies for its enforcement, and penalties for a violation thereof, and repealing all laws or parts of laws in conflict therewith, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

PARKS HELMICK, *Chairman.*

Mr. Haskins, chairman of the Committee on Temperance, submitted the following report:

MR. SPEAKER: Your Committee on Temperance, to whom was referred House bill No. 28, An act relating to intoxicating liquors, and supplemental to article 14, chapter 31, of the General Statutes of 1901, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

Also, House bill No. 33, An act relating to the sale of intoxicating liquors, to amend section 2476 of the General Statutes of Kansas of 1901, relating to the payment of costs in cases brought by the assistant attorney-generals, and recommend that it be not passed.

S. B. HASKINS, *Chairman.*

Mr. Ryan, chairman of the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 80, An act to amend section 5799 of the General Statutes of the state of Kansas of 1901, relating to the employment of persons committed to the jail of any county in the state of Kansas, and repealing said original section, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that there is no emergency requiring its passage at this time, and we recommend that it be not passed.

Also, House bill No. 90, An act relating to the time within which

cases shall be for trial in all judicial districts of this state composed of one county, wherein there may be two or more courts of general jurisdiction, with certain exceptions, and fixing the date for terms of court therein, and repealing certain acts in conflict therewith, and recommend that it be not passed.

Also, House bill No. 60, An act to regulate the employment of legislative lobby counsel and agents, to provide for the return of legislative expenses incurred by or in behalf of such legislative lobby counsel and agents, to prohibit such legislative counsel and agents from attempting to influence members of the Legislature other than by appearance before the committees thereof, and prescribing and fixing penalties for the violation of this act, and recommend that it be not passed.

Also, House bill No. 117, An act to amend section 1 of chapter 183, Session Laws 1907, and recommend that it be not passed.

S. L. RYAN, *Chairman.*

Mr. Archer, chairman of the Committee on Municipal Corporations, submitted the following report:

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred House bill No. 88, An act authorizing the board of commissioners of any county in Kansas having the population of 130,000 or more to declare by resolution when it is necessary to repair or improve a county building for court or county-office use for such county, fixing the maximum cost of such repairs and improvements, providing for petition therefor, and a levy of a tax to create a fund to pay for said repairs and improvements, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

Also, House bill No. 79, An act to enable townships to issue bonds for the purpose of aiding railroad corporations in securing and paying for lands and water privileges, and constructing water-works and water pipe-lines needed for shops, roundhouses and other terminal facilities, and recommend that it be passed.

W. E. ARCHER, *Chairman.*

Mr. Bird, chairman of the Committee on Cities of the First Class, submitted the following report:

MR. SPEAKER: Your Committee on Cities of the First Class, to whom was referred House bill No. 89, An act authorizing cities of the first class having a population of more than fifty thousand to purchase, construct and contract for the construction of water-works, gas, electric-light and power plants, and to issue bonds for such purposes, have had the same under consideration, and report back with the recommendation that it be passed, with the following amendments: In line 2 of the title, strike out the word "fifty" and insert in lieu thereof "sixty-five"; in line 3 of section 1 strike out the word "fifty" and insert in lieu thereof "sixty-five"; and strike out all of section 5.

Also, House bill No. 46, An act relating to cities of the first class having a population of more than fifty thousand, and providing for and authorizing tax levies in such cities, and recommend that it be passed, with the following amendments: In line 2 of the title strike out the word "fifty" and insert in lieu thereof "sixty-five"; in line 2 of section 1 strike out the word "fifty" and insert in lieu thereof "sixty-five"; and strike out all of section 3.

Also, House bill No. 44, An act to enable cities of the first class having a population of more than fifty thousand to refund their indebtedness, and providing penalties for the violation thereof, and recommend that it be passed, with the following amendments: In line 2 of the title strike out the word "fifty" and insert in lieu thereof "sixty-five"; in line 2 of section 1 strike out the word "fifty" and insert in lieu thereof "sixty-five"; and strike out all of section 7.

W. A. S. BIRD, *Chairman.*

Mr. Grass, chairman of the Committee on State Affairs, submitted the following report:

MR. SPEAKER: Your Committee on State Affairs, to whom was referred House bill No. 124, An act providing for the enrolment of civil war and Spanish-American war veterans, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

H. W. GRASS, *Chairman*.

Mr. Mitchell moved that the rules be suspended, and that House bill No. 57 be referred to the Judiciary Committee, which motion prevailed.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed by the Senate to inform the House that the Senate has passed Senate bill No. 109, An act making appropriation for legislative purposes.

Also, requests the return of Senate bill No. 28.

The same is herewith transmitted. W. S. KRETSINGER, *Secretary*.

The above Senate bill was thereupon read the first time.

COMMITTEE OF THE WHOLE.

Mr. Leland moved that the House go into committee of the whole for the consideration of bills on the Calendar under the head of "Special Orders." A vote being had, the motion prevailed.

The House went into committee of the whole, with Mr. Padgett in the chair.

After some time spent therein the committee rose, and through the chairman submitted the following report:

MR. SPEAKER: The committee of the whole House have had under consideration bills on the Calendar under the head of "Special Orders," and I am directed to report as follows:

Recommend that House bill No. 18, An act relating to primary elections, providing for the organization and government of political parties, repealing chapter 115, Laws of 1891, and all other acts and parts of acts in conflict herewith, and prescribing and fixing penalties for the violation hereof, be amended as follows:

Section 11: In line 9, after the word "elector," by inserting "of the precinct by reason of age."

Section 12: In line 9, after the word "election," by inserting "except as otherwise provided herein"; in line 18, after the words "United States," to strike out the words "the age of twenty-one years" and insert the words "and will be more than twenty-one years of age at the next general election"; in line 19, strike out the word "am" and insert the words "will be" in lieu thereof; in line 21, strike out the word "am" and insert "I expect to be" in lieu thereof.

Section 13: In line 9, after the word "party," insert the words "or any candidates."

The committee ask leave to sit again. W. W. PADGETT, *Chairman*.

Mr. Padgett moved the adoption of the report, which motion prevailed.

Mr. Morgan moved that the further consideration of House bill No. 18 be continued at 1:30 P. M., which motion prevailed.

Mr. Morgan moved that the House take a recess until 1:30 P. M., which motion prevailed.

AFTERNOON SESSION.

The House reconvened at 1:30 P. M., with Speaker Simmons in the chair.

COMMITTEE OF THE WHOLE.

Mr. Mitchell moved that the House go into committee of the whole for the consideration of bills on the Calendar under the head of "Special Orders." A vote being had, the motion prevailed.

The House went into committee of the whole, with Mr. Padgett in the chair.

After some time spent therein the committee rose, and through the chairman submitted the following report:

MR. SPEAKER: The committee of the whole House have had under consideration bills on the Calendar under the head of "Special Orders," and I am directed to report as follows:

Recommend that House bill No. 18, An act relating to primary elections, providing for the organization and government of political parties, repealing chapter 115, Laws of 1891, and all other acts and parts of acts in conflict herewith, and prescribing and fixing penalties for the violation hereof, be amended as follows:

Moved that the minority report on section 14 be adopted.

Section 14: In line 12 strike out the words "on the second" and insert the words "third" in lieu thereof; in lines 12 and 13 strike out the words "on the second Tuesday of March"; in line 28 strike out the word "whole," and in same line insert after word "state" the following:

It being the purpose and intention of this provision, so far as the same is within the power of the Legislature so to do, to give all the electors of the state of Kansas the right to express their choice for United States senator, and to direct that the same be carried out by the Legislature of the state.

That all of section 19 be stricken out and the following be inserted in lieu thereof as a new section:

SEC. 19. *Payment of expenses.* All ticket blanks and other supplies to be used at any primary, and all expenses necessarily incurred in the preparation for or conducting such primary, shall be paid out of the treasury of the city, county or state, as the case may be, in the same manner, with like effect, and by the same officers, as in the case of elections; provided, however, that said officers shall submit the printing and furnishing of all tickets, blanks and other supplies to bidders by publication in the official paper of the city, county or state, as the case may be, and shall let the printing and furnishing of all tickets, blanks and other supplies to be used by contract to the lowest bidder who shall, in the discretion of said officers, give bond for the performance of this contract, except in such counties as may have elected a county printer at the last preceding general election. The cost, printing and distribution of the tickets shall be under the charge and control of the same officers and official bodies as are prescribed for general election and for city elections by existing statutes, and amendments now or hereafter made thereto in so far as the same are applicable to and not inconsistent with the provisions of this act.

Section 20: In line 19, after the word "forgery," insert "in the fourth degree"; in line 125 insert the word "knowingly" after the word "shall."

Section 8: Strike out all of lines 1, 2, 3, 4 and 5 down to and including the period in line 6, and insert the following in lieu thereof:

SEC. 8. *Official ballot.* An official ticket for each political party shall be printed and provided for use at each voting precinct in the form provided herein and annexed hereto. The names of all candidates of each political party for whom the nomination papers prescribed shall have been duly filed shall be printed upon the ticket thus provided for that party.

Also, by adding at the end of section 8 the following: "except in such counties as may have elected a county printer at the last preceding general election."

That section 9 be amended on page 16 by inserting after the word

"purpose," in the second paragraph, the words "and mark a (X) in the square at the right"; and on page 19 by inserting after the word "purpose," in the second paragraph, the words "and mark a (X) in the square at the right."

That the bill be passed as amended. W. W. PADGETT, *Chairman*.

Mr. Padgett moved the adoption of the report, which motion prevailed.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed by the Senate to inform the House that the Senate has passed Senate bill No. 31, An act amending section 434 of chapter 110 of General Statutes of 1901, relating to banks and banking, and repealing original section 434.

Also, has amended, and adopted as amended, House concurrent resolution No. 3, Relative to introduction of bills.

Also, passed Senate bill No. 41, An act relating to territory outside of the city limits of cities of the first class, but adjacent thereto, and providing for the manner of holding elections for the election of members of the board of education in territory attached to cities of the first class for school purposes, and for the payment of the expenses of such elections.

The bills and resolution are herewith transmitted.

W. S. KRETSINGER, *Secretary*.

The above Senate bills were thereupon read the first time.

REPORT OF STANDING COMMITTEE.

Mr. Haskins, chairman of the Committee on Temperance, asked unanimous consent to submit the following report:

MR. SPEAKER: Your Committee on Temperance, to whom was referred House bill No. 27, An act relating to intoxicating liquors, and supplemental to chapter 339 of the Laws of 1903, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be amended by striking out all after the enacting clause and inserting the following:

SECTION 1. That each druggist having a permit to sell intoxicating liquors under the laws of the state of Kansas shall at the time of the filing the affidavits signed by the purchasers of intoxicating liquor, and at the time of making the reports and affidavits to the probate judge of his county as is required by law, also file a statement verified by the affidavit of such druggist, showing the name and residence of each purchaser of intoxicating liquor, the kind and quantity of intoxicating liquors sold to such purchaser, the purpose or disease for which the liquor was sold and the date of the sale thereof, and the price paid therefor, and that no other sale or sales were made to any person under the permit issued to him, which statement shall, after being attested by the probate judge as being correct as hereinafter provided, be published by such druggist for at least one issue in the newspaper having the public printing of the county, immediately after the filing of such statement.

SEC. 2. That before the publication of such statement the probate judge shall examine the same by comparing it with the affidavits returned, and if found to be correct shall thereupon attest the same as being correct.

SEC. 3. Any druggist knowingly making false affidavit to any fact or matter required in this act shall be guilty of perjury and punished therefor according to law; any failure to make publication as herein provided shall *ipso facto* annul and cancel the permit held by such druggist, and no permit shall be granted to such druggist for a period of one year thereafter.

SEC. 4. That the newspaper publishing such statement shall be entitled to and receive fees and compensation allowed by law for legal publications, which fees and compensation shall be paid by such druggist.

SEC. 5. This act shall take effect and be in force from and after its publication in the official state paper.

And that the bill be passed as amended.

S. B. HASKINS, *Chairman*.

Inasmuch as the committee struck out all after the enacting

clause of the above bill and inserted in lieu thereof new subject-matter, therefore, in order to comply with House rule No. 54, Mr. Haskins moved that the above bill be read the first time, which motion prevailed.

House bill No. 27, An act relating to intoxicating liquors and supplemental to chapter 339 of the Laws of 1903, was thereupon read the first time.

Mr. Haskins moved that the rules be suspended, an emergency declared, and that House bill No. 27 be read the second time, which motion prevailed.

House bill No. 27, An act relating to intoxicating liquors and supplemental to chapter 339 of the Laws of 1903, was thereupon read the second time and referred to the committee of the whole.

Mr. Mitchell asked unanimous consent to introduce a bill at this time.

Consent being given, Mr. Mitchell introduced House bill No. 131, An act providing an appropriation to be used by the State Entomological Commission for the extermination of green bugs.

Mr. Mitchell moved that an emergency be declared, the rules suspended, and that the above bill be read the second time, which motion prevailed.

House bill No. 131, An act providing an appropriation to be used by the State Entomological Commission for the extermination of green bugs, was thereupon read the second time and referred to the Ways and Means Committee.

Mr. Morgan called for the reading of House concurrent resolution No. 3.

Mr. Morgan moved that the House concur in the Senate amendments to House concurrent resolution No. 3, which motion prevailed.

Mr. Stubbs moved that an emergency be declared, the rules suspended, and that House bill No. 18 be placed on third reading, subject to amendment and debate, which motion prevailed.

THIRD READING OF BILLS.

House bill No. 18, An act relating to primary elections, providing for the organization and government of political parties, repealing chapter 115, Laws of 1891, and all other acts and parts of acts in conflict herewith, and prescribing and fixing penalties for the violation hereof, was read the third time, and by unanimous consent was amended as follows:

In section 5, lines 15 and 16, by striking out the parenthesis marks and all included therein.

In section 9, page 18, last line, by substituting "May" for "March," and on page 20, in certificate, by changing "March" to "May."

In section 20, page 37, lines 21 and 22, by striking out "or any act of the Legislature."

The question being, Shall the bill pass as amended? the roll was called, with the following result: Yeas 105, nays 9; absent or not voting, 8.

Members voting in favor of the passage of the bill were: Messrs. Adams, Archer, Banks, Beeson, Berryman, Bird, Blaine, Boggs, Boyle, Brandon, Brierley, Brown, Chatten, Clark, Cole, Cottingham, Cowan, Crumly, Cunningham, Davidson of Sedgwick, Davis, Davison of Marion, Dennis, Edwards, Elstun, Enright, Fisher, Flanigan, Foley, Fraser, Gants, Gesner, Gordon, Grass, Guyer, Ham, Hart, Haskins, Helmick, Hendricks, Holden of Wichita, Holdren of Montgomery, Husey, Hutcheson, Ingalls, Jeffries, Jones, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Leydig, Martin, Mayhew, Mercer, Miller, Milligan, Mitchell, Morgan of Hodgeman, Morgan of Reno, Murphy, Myers, Neihart, Oshant, Padgett, Patterson, Peter, Plumb, Pomeroy, Potts, Price, Ransom, Reynard, Rhodes, Rich, Richmond, Rochester, Rockefeller, Roush, Ryan, Saunders, Schmidt, Shepard, Sipple, Skinner, Sourbeer, Stannard, Stockton, Stone, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Umholtz, Warren, Wells, Wheeler, White, Wilson, Woodhouse, and Mr. Speaker Simmons.

Members voting in the negative were: Messrs. Craddock, Curran, Johnson, Lennen, McGillivray, Montee, Polley, Tannahill, and Westcott.

Members absent or not voting were: Messrs. Creech, Finley, O'Conner, Pohlman, Rall, Richardson, Sherer, and Snyder.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

EXPLANATION OF VOTE.

MR. SPEAKER: I desire this explanation of my vote to be spread on the Journal: I vote on this measure with doubt and hesitation. I am heartily in favor of a direct primary, but this bill appears to be exceedingly intricate in details, cumbersome and expensive. It will, in my judgment, be somewhat of a disappointment, even to its friends. But the people of Kansas demand a direct primary; my constituents are in harmony with this demand; and, in obedience to their wishes, I vote Aye.

C. F. FOLEY.

Mr. Kirtland moved that the House do now adjourn until ten o'clock to-morrow morning, which motion prevailed.

SIXTH DAY.

MORNING SESSION.

HALL OF THE HOUSE OF REPRESENTATIVES,
January 22, 1908—10 A. M.

The House convened, with Speaker Simmons in the chair.

The roll was called, and 120 gentlemen were present and answered to their names.

Gentlemen absent were: Messrs. Creech and Rall.

Gentlemen absent by leave were: Messrs. Creech and Rall.

Quorum present.

Prayer by the chaplain.

READING AND CORRECTION OF THE JOURNAL.

Mr. Davison moved that the rules be suspended and that the further reading of the Journal be dispensed with, and that the same be referred to the Committee on Supervision of the Journal, which motion prevailed.

SECOND READING AND REFERENCE OF SENATE BILLS.

The following Senate bills were read the second time, and referred to committees indicated:

Banks and Banking:

Senate bill No. 31, An act amending section 434 of the General Statutes, 1901, relating to banks and banking, and repealing original section 434 and all acts or parts of acts in conflict therewith.

Cities of the First Class:

Senate bill No. 41, An act relating to the manner in which territory outside of the city limits of cities of the first class having a population of not more than 30,000, but adjacent thereto, may be attached to such cities for school purposes.

Committee of the Whole:

Senate bill No. 109, An act making appropriation for legislative purposes.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed by the Senate to inform the House that the Senate has adopted Senate concurrent resolution No. 6, Relating to the candidacy of William H. Taft.

Also, Senate concurrent resolution No. 7, Relating to joint rules for government of the House and the Senate.

The same are herewith transmitted. W. S. KRETSINGER, *Secretary*.

REPORTS OF STANDING COMMITTEES.

Mr. Ryan, chairman of the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 82, An act amending sections 5 and 12 of chapter 232 of the Laws of 1907, entitled "An act providing for and designating the manner of selecting petit jurors and prescribing their qualifications in counties having more than 100,000 population, and imposing on the judge of the district court and other courts of general jurisdiction, if any, in such counties, the duty of selecting jurors and prescribing their compensation, and authorizing said judge to appoint a clerk and fix his compensation," and repealing said sections 5 and 12, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed. S. L. RYAN, *Chairman*.

Mr. Westcott, chairman of the Committee on Judiciary Local, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary Local, to whom was referred House bill No. 118, An act concerning the jurisdiction of the court of Topeka, regulating appeals therefrom, providing for the appointment of a clerk *pro tem.*, and amending sections 2 and 13 of chapter 129 of the Session Laws of 1899, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be not passed.

Also, House bill No. 109, An act regulating the meetings of the board of county commissioners of Lincoln county, Kansas, and providing for compensation of said board, and recommend that it be passed.

Also, House bill No. 106, An act to amend an act entitled "An act to vacate certain lots, streets and alleys in White City, Morris county, Kansas," the same being chapter 420 of the Session Laws of 1901, and recommend that it be not passed.

Also, House bill No. 93, An act declaring Allen county, state of Kansas, to be in the class of counties named in chapter 185 of the Session Laws of 1905, and providing for the appointment of a county auditor in said county, and recommend that it be not passed, for the reason that it is unconstitutional and there is no emergency.

Also, Senate bill No. 87, An act fixing the salary of the deputy county clerk of Butler county, Kansas, and recommend that it be not passed.

Also, Senate bill No. 73, An act regulating the salary of the clerk of the district court of Harper county, and report the bill back to the House without recommendation.

Also, Senate bill No. 78, An act to provide for the meetings of the board of county commissioners of Harper county, Kansas, and report the bill back to the House without recommendation.

Also, House bill No. 48, An act removing and excluding certain real estate from the city of El Dorado, Kan., and recommend that it be passed.

Also, House bill No. 127, An act authorizing the county commissioners of Stevens and Morton counties to drill artesian wells and to make appropriations to pay for the same, and recommend that it be passed.

Also, House bill No. 125, An act authorizing the disposition of certain funds in Morton county, Kansas, and recommend that it be passed.

Also, House bill No. 114, An act to amend chapter 290 of the Session Laws of 1907, being "An act declaring section lines highways in the county of Rice and other counties therein named," and repealing said original chapter 290 of the Session Laws of 1907, and recommend that it be passed.

Also, House bill No. 96, An act authorizing and empowering the board of education of the city of Atchison to issue warrants for the payment of

the construction of a high-school building in the city of Atchison, and recommend that it be passed.

Also, House bill No. 95, An act to amend section 2 of chapter 87 of the Session Laws of 1887, entitled "An act providing for the building and repairing of bridges in Mitchell, Ottawa and Lincoln counties, Kansas, and providing funds therefor," and recommend that in lines 8 and 9 of section 1 the words "the sum of five thousand dollars on any one bridge" be stricken out, and that "the sum of four thousand dollars on any one bridge" be inserted in lieu thereof; and that the bill be passed as amended.

Also, House bill No. 84, An act in relation to sidewalks in the city of Leon, Kan., and recommend that it be passed.

Also, House bill No. 64, An act authorizing the city of Marquette, a city of the third class, situated in the county of McPherson and state of Kansas, to issue bonds to fund floating indebtedness, and recommend that it be amended by striking out of lines 3 and 4 of section 1 the words "upon a petition signed by two-fifths of the resident taxpayers of said city," and inserting in lieu thereof the following: "when a majority of the qualified electors of said city shall vote in favor thereof at a general or special election," and that the bill be passed as amended.

Also, Senate bill No. 58, An act authorizing and empowering the board of education of the city of Atchison to issue warrants for the payment for the construction of a high-school building in the city of Atchison, and recommend that it be passed.

Also, Senate bill No. 68, An act to amend sections 1 and 2 of chapter 87 of the Session Laws of 1887, entitled "An act providing for the building and repairing of bridges in Mitchell, Ottawa, Lincoln and Osborne counties, Kansas, and providing funds therefor," and recommend that it be passed.

Also, Senate bill No. 59, An act authorizing the board of county commissioners of Linn county, Kansas, to pay the claim of C. H. Brown against said county out of the bridge fund thereof, and recommend that it be passed.

Also, Senate bill No. 91, An act to amend chapter 268 of the Session Laws of 1905, and recommend that it be passed.

Also, Senate bill No. 74, An act creating and fixing the salary of the under-sheriff of Harper county, and report the bill back to the House without recommendation.

Also, Senate bill No. 75, An act declaring the person therein named the adopted daughter and heir of Dr. John M. Hunt and Sarah M. Hunt, and recommend that it be passed.

S. C. WESTCOTT, *Chairman.*

Mr. Kirtland, chairman of the Committee on Assessment and Taxation, submitted the following report:

MR. SPEAKER: Your Committee on Assessment and Taxation, to whom was referred House bill No. 1, An act to repeal sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39 and 40 of chapter 408 of the Statutes of 1907 of the state of Kansas, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be not passed.

Also, House bill No. 2, An act to reenact sections 7550, 7551, 7552, 7564, 7565, 7566, 7585, 7586, 7592, 7608, 7609 of the General Statutes of Kansas, 1901, and recommend that it be not passed.

Also, House bill No. 10, An act concerning assessment and taxation and to limit the levy of taxes in the several taxing districts of the state of Kansas, and to limit the creation of municipal indebtedness in the state, and to punish officers for the violation of this act, and to repeal all acts and parts of acts in conflict herewith, and recommend that it be passed.

Also, House bill No. 120, An act to amend sections 3 and 18, chapter 408, of the Session Laws of 1907, and to repeal said original sections 3 and 18, and recommend that it be passed.

C. B. KIRTLAND, *Chairman.*

Mr. Richmond, chairman of the Committee on Cities of the Third Class, submitted the following report:

MR. SPEAKER: Your Committee on Cities of the Third Class, to whom was referred House bill No. 128, An act authorizing cities of the third class to fund their outstanding floating indebtedness in certain cases, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

R. A. RICHMOND, *Chairman*.

Mr. Chatten, chairman of the Committee on Legislative Apportionment, submitted the following report:

MR. SPEAKER: Your Committee on Legislative Apportionment, to whom was referred House bill No. 50, An act apportioning the state of Kansas into representative districts, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that subdivisions 2 and 3 of section 2 of the bill under consideration be stricken out and the following inserted in lieu thereof:

2. The first, second, third and fourth wards, and the south precincts of the fifth ward, in the city of Atchison, and Mount Pleasant and Walnut townships, all in Atchison county, shall constitute the second representative district.

3. The north precinct of the fifth ward of the city of Atchison, and Benton, Grasshopper, Center, Kapioma, Lancaster and Shannon townships, all in Atchison county, shall constitute the third representative district.

And that the same be passed as amended.

W. M. CHATTEN, *Chairman*.

Mr. Bird, chairman of the Committee on Cities of the First Class, submitted the following report:

MR. SPEAKER: Your Committee on Cities of the First Class, to whom was referred House bill No. 129, An act relating to the control and management of fire departments in cities of the first class, and providing for a system of civil service therein, and repealing all laws in conflict therewith, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed with the following amendments: Amend the title, in line 3, by striking out all after the word "repealing," and insert in lieu thereof the following: "Chapter 117 of the Laws of 1907 and all acts and parts of acts in conflict with this act." Strike out all of section 5 and insert in lieu thereof the following: "That chapter 117 of the Laws of 1907, and all acts and parts of acts in conflict with this act, are repealed."

Also, Senate bill No. 41, An act relating to the manner in which territory outside of the city limits of the cities of the first class having a population of not more than 30,000, but adjacent thereto, may be attached to such cities for school purposes, and recommend that it be passed.

Also, House bill No. 73, An act relating to the territory outside of the city limits of the cities of the first class, but adjacent thereto, and providing for the manner of holding the election of the members of the board of education in territory attached to cities of the first class for school purposes, and for the payment of the expenses of such elections, and recommend that it be not passed.

W. A. S. BIRD, *Chairman*.

Mr. Stannard, chairman of the Committee on Live Stock, submitted the following report:

MR. SPEAKER: Your Committee on Live Stock, to whom was referred House bill No. 110, An act to amend sections 1, 5, 6 and 11 of chapter 407 of the Laws of Kansas of 1907, and to repeal said original sections, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

Also, House bill No. 102, An act for the protection of antelopes, and

recommend that the title be amended by adding the word "deer" after "antelopes," and that the word "deer" be inserted in line 3 of section 1 after the word "antelope"; that the word "five," in line 4, be stricken out, and the word "ten" be inserted in lieu thereof, and that it be passed as amended.

C. A. STANNARD, *Chairman*.

ORIGINAL MOTIONS AND RESOLUTIONS.

Mr. Bird moved that Senate bill No. 28 be recalled from the Committee on Judiciary Local and messaged back to the Senate to comply with the request of the Senate, which motion prevailed.

Mr. Stone moved that 500 copies of House bill No. 18 be printed for the use of the Senate, which motion prevailed.

Mr. Stubbs offered House resolution No. 7, as follows:

WHEREAS, The grain freight rates from the wheat belt of Kansas are 100 per cent. higher than the rates for like service from all points on the Missouri river per ton per mile, and that said excess of freight rate charges is working hardships to the grain growers of the wheat belt of Kansas; therefore, be it

Resolved by the House of Representatives in special session assembled, That the Board of Railroad Commissioners of Kansas are hereby instructed to investigate and employ such measures as will compel the railroads operating from the wheat belt of Kansas to the Gulf of Mexico to give that section of the country as low freight rates on grain as are in force from any other section of the country, based on the tonnage of business and the actual cost of transportation.

Mr. Stubbs moved the adoption of the above resolution, which motion prevailed.

COMMITTEE OF THE WHOLE.

Mr. Kirtland moved that the House go into committee of the whole for the consideration of bills on the Calendar under the head of "General Orders." A vote being had, the motion prevailed.

The House went into committee of the whole, with Mr. Wheeler in the chair.

After some time spent therein the committee rose, and through the chairman submitted the following report:

MR. SPEAKER: The committee of the whole House have had under consideration bills on the Calendar under the head of "General Orders," and I am directed to report as follows:

Recommend that House bill No. 54, An act concerning assessment and taxation, and to amend section 17 of chapter 408 of the Session Laws of 1907, and to repeal sections 7611 and 7702 of the General Statutes of 1901, be passed.

That House bill No. 55, An act concerning assessment and taxation, and to amend section 12, article 3 of chapter 107 of the General Statutes of 1901, being section 7515 thereof, be amended by inserting after the word "companies," at the end of line 5 of section 1, the following: "Except such companies and corporations as are especially provided for by statute," and by striking out all of line 6, down to and including the word "companies" in line 7, and that it be passed as amended.

F. B. WHEELER, *Chairman*.

Mr. Wheeler moved that the report of the committee of the whole be adopted, which motion prevailed.

Mr. Kirtland moved that the House take a recess until two o'clock, which motion prevailed.

AFTERNOON SESSION.

The House reconvened at two o'clock, with Speaker Simmons in the chair.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed by the Senate to inform the House that the Senate has passed Senate bill No. 38, An act authorizing all counties in Kansas to levy a tax for the purpose of paying off their indebtedness.

Also, Senate bill No. 33, An act designating the state treasurer as the fiscal agent of the state of Kansas, and regulating the same, and amending and repealing section 3155, General Statutes 1901, and all acts in conflict herewith.

Also, Senate bill No. 32, An act to amend section 1 of chapter 68 of the Session Laws of 1903, being section 408 of the General Statutes of 1901, as repealed by said act of 1903, relating to the management and control of banking.

Also, Senate bill No. 108, An act amending section 5 of chapter 23 of the Session Laws of 1907, relating to the hard-fiber twine plant of the Kansas State Penitentiary, at Lansing, and making an appropriation for the operation thereof, and providing for the payment of salary of clerk and cashier of said plant.

Also, House bill No. 108, An act regulating the salary of the clerk of the district court of Harper county, state of Kansas.

Also, Senate bill No. 12, An act to authorize the erection and maintenance of water-works in the state of Kansas.

Also, House bill No. 3, An act authorizing the board of county commissioners of Shawnee county, Kansas, to sell the fair-grounds belonging to Shawnee county and purchase other land with the proceeds of such sale, or to purchase other land to enlarge the present fair-grounds and levy a tax for the purpose of purchasing additional lands, if found necessary, and the erection of permanent buildings and improvements on such fair-grounds, and repealing chapter 161 of the Laws of 1907.

Also, Senate bill No. 15, An act regulating the meetings of the boards of county commissioners.

Also, Senate bill No. 77, An act to amend chapter 125 of the Session Laws of 1907, being "An act to amend section 949 of the General Statutes of Kansas of 1901, relating to officers elected and appointed in cities of the second class, and repealing said original section."

Also, House bill No. 36, An act to authorize the board of county commissioners of Osage county to erect a bridge across the Marais des Cygnes river.

The same are herewith transmitted. W. S. KRETSINGER, *Secretary*.

The above Senate bills were thereupon read the first time.

COMMITTEE OF THE WHOLE.

Mr. Kirtland moved that the House go into committee of the whole for the consideration of bills on the Calendar under the head of "General Orders." A vote being had, the motion prevailed.

The House went into committee of the whole, with Mr. Wheeler in the chair.

After some time spent therein the committee rose, and through the chairman submitted the following report:

MR. SPEAKER: The committee of the whole House have had under consideration bills on the Calendar under the head of "General Orders," and I am directed to report as follows:

Recommend that House bill No. 56, An act to amend sections 3, 4 and 10 of chapter 502 of the Session Laws of 1905, and to provide for the assessment and valuation for purposes of taxation of telephone companies, oil pipe-line companies and gas pipe-line companies which are local in their character and confined to the limits of a single county, be amended in section 2, line 5, after the words "property of," by inserting the word "telegraph"; also, in section 4, line 1, by striking out the figures "402" and inserting the figures "502" in lieu thereof; that the title be amended in line 3 by inserting the word "telegraph" after the words "taxation of"; and that it be passed as amended.

That House bill No. 10, An act concerning assessment and taxation, and to limit the levy of taxes in the several taxing districts of the state of Kansas, and to limit the creation of municipal indebtedness in the state, and to punish officers for the violation of this act, and to repeal all acts and parts of acts in conflict herewith, be amended in section 1, line 7, by adding to end of the line "except as otherwise herein provided"; in section 1, line 10, by striking out the word "was" and inserting the words "could have been"; section 1, line 11, by inserting after the figures "1907" the following: "by applying the maximum levies allowed by law to the assessed value of said year"; by striking out all of section 6 and renumbering section 7 section 6. Also, that section 3 be amended by adding to the end of the section the following: "provided, however, the provisions of this section shall not apply to the increased bonded indebtedness for a purchase of a water plant as apply to cities of the first class having a population of 60,000 or more"; and that it be passed as amended.

That House bill No. 17, An act to amend section 19 of chapter 408 of the Session Laws of 1907, be amended as recommended by the Committee on Assessment and Taxation. Also, by inserting in section 1, line 21, after the word "him," the following: "provided, that where a township is divided by the county assessor, the township trustee may select the division of said township that he will assess"; that in section 3 "statute-book" be changed to "official state paper"; and that it be passed as amended.

That House bill No. 63, An act to encourage the erection of mills and factories and the manufacture of sugar and syrup out of sorghum cane and sugar-beets, and authorizing townships and cities of the second and third class to subscribe for stock in sugar factories and to vote bonds therefor, and to amend section 1 of chapter 106a, General Statutes of 1901, be amended in section 1, line 30, after the word "petition," by inserting the following: "signed by at least twenty-five per cent. of voters of such township or city"; and that it be passed, subject to amendment and debate.

That House bill No. 76, An act to amend section 4241 of the General Statutes of Kansas of 1901, as amended by chapter 365 of the Laws of 1903, relating to the release of mortgages, and repealing said section 4241 as amended, be amended as recommended by the Committee on Judiciary; also, by striking out of section 1, line 23, the words "as a part thereof"; and that it be passed as amended.

That House bill No. 51, An act prohibiting the manufacture, sale, keeping or offering for sale certain adulterated foods, and supplemental to chapter 266 of the Session Laws of 1907, be passed.

That House bill No. 42, An act to amend sections 4, 8, 9 and 10 of chapter 382 of the Session Laws of 1907, and to repeal said original

sections 4, 8, 9 and 10 of said chapter 382 of the Laws of 1907, be passed.

That House bill No. 100, An act amending section 4 and section 10 of chapter 397 of the Session Laws of Kansas of 1905, and repealing said original sections 4 and 10, be passed.

That House bill No. 72, An act to amend section 6467 of the Compiled Laws of 1901, relating to the establishment of agencies at the county seat in each county in the state, and in cities of the first and second class, for the handling, sale and exchange of school-books provided for in said section 6467, be amended in section 1, line 11, by striking out the word "and" after the word "first," and inserting a comma; also, by inserting in line 11, after the word "second," the words "and third," and that it be passed as amended.

That House bill No. 103, An act relating to private corporations, be passed, subject to amendment and debate.

That all after the enacting clause in House bill No. 45, An act relating to the acquisition and operation by cities of the first class having more than 50,000 population of the water-works supply plant and property of any person, company or corporation in any case where the franchise of such person, company or corporation to supply any such city of the first class with water has expired or may hereafter expire, be stricken out and the following inserted in lieu thereof:

SECTION 1. That in any city of the first class having more than 50,000 population, where the franchise of any person, company or corporation supplying water to such city has, at the time of the taking effect of this act, expired, or where the franchise of any such person, company or corporation to supply water in any city of the first class having more than 50,000 population shall at any time hereafter expire, such city is hereby authorized and empowered to acquire, by exercise of the right of eminent domain, which right is hereby expressly delegated to such city for said purpose, the entire plant and property of the person, company or corporation whose franchise to supply water has expired, or may hereafter expire, as hereinbefore recited.

SEC. 2. In any such case as is specified in the next preceding section, the mayor and council of any city desiring to exercise the power of eminent domain for the purpose hereinbefore mentioned and specified, may proceed as follows:

The mayor and council of such city may, by resolution, declare it necessary and for the best interest of the city to proceed under the provisions of this act to acquire for said city the entire plant and property of the person, company or corporation whose franchise to supply water to such city has expired. Upon the passage of such resolution the city passing the same may file a petition in the name of the city in the district court of the county in which said city is located, or in such court of general jurisdiction having a clerk and seal, within the county in which said city is located, as may by resolution be designated by the mayor and council of the city availing itself of the provisions of this act. Such petition shall recite the name of the city, the name of the person, company or corporation proceeded against, and shall aver that the purpose of the proceeding is to condemn the entire plant and property of the person, company or corporation named in the petition, with intent to vest the title to such entire plant and property in the city named in said petition. It shall describe the plant and property sought to be condemned, as near as may be done by a general description, and shall also set forth a copy of the resolution of the mayor and council of the petitioning city declaring it necessary and for the best interest of the city to proceed under the provisions of this act to acquire for said city the entire plant and property of the person, company or corporation proceeded against. Said petition shall also pray the court in which it may be filed to appoint three commissioners to ascertain and determine the value of the entire plant and property of the person, company or corporation which the city proceeding under the provisions of this act desires to acquire. Upon the filing of such petition the clerk of the court in which it is filed shall docket the proceedings and keep a full record thereof.

The court in which the said petition is filed shall, after filing the same, have jurisdiction of the entire proceedings, including the application of the purchase-money, discharge of liens and encumbrances, and the transfer of the property. Upon the filing of the said petition the court shall make an order appointing three commissioners, one of whom shall be an expert hydraulic engineer, who may be a non-resident of the state. None of the said commissioners shall be residents of the city proceeding under this act. In case any vacancy occurs, or any commissioner or commissioners appointed shall refuse to serve, the court shall appoint some other person or persons to fill such vacancy. The said commissioners shall take an oath to honestly and to the best of their ability fix the valuation of the entire plant and property sought to be acquired by the city at what they are reasonably and equitably worth.

Immediately after their appointment and qualification the said commissioners shall forthwith give notice directed to the owner or owners of the plant and property sought to be condemned under this act, and to all persons holding liens or encumbrances thereon, and to all persons in anywise interested in such plant or property,

of the time and place of their meeting to value the entire plant and property sought to be acquired by the city under the provisions of this act. It shall not be necessary, however, in said notice to specifically name any party except the person, company or corporation whose plant and property is sought to be condemned. The said notice shall be given by publication thirty days before the time fixed for said meeting, in some newspaper published in the city instituting the condemnation proceedings under this act. It shall set forth a copy of the petition filed in the court, naming the court, giving the date of such filing, and it shall specify that the purpose of the meeting of the said commissioners is to ascertain and determine for condemnation the value of the entire plant and property of the person, company or corporation whose property it is proposed to condemn, naming such person, company or corporation. At the time fixed by said notice, or at the time to which said meeting may be adjourned, the said commissioners shall proceed to ascertain and determine the value of the entire plant and property sought to be acquired by the city under the provisions of this act; they may examine experts, and resort to all means within their power to arrive at the value of the property to be condemned, and any one interested, or may be affected by the condemnation proceedings herein authorized, may be heard before said commissioners, and may produce such testimony before them as may be competent, material and relevant to enable said commissioners to arrive at the fair and equitable value of the property sought to be condemned. The said notice shall be given by publication thirty days before the time fixed for said meeting, in some newspaper published in the city instituting the condemnation proceedings under this act. It shall set forth a copy of the petition filed in the court, naming the court, giving the date of such filing, and it shall specify that the purpose of the meeting of the said commissioners is to ascertain and determine for condemnation the value of the entire plant and property of the person, company or corporation whose property it is proposed to condemn, naming such person, company or corporation. At the time fixed by said notice, or at the time to which said meeting may be adjourned, the said commissioners shall proceed to ascertain and determine the value of the entire plant and property sought to be acquired by the city under the provisions of this act; they may examine experts, and resort to all means within their power to arrive at the value of the property to be condemned, and any one interested, or who may be affected by the condemnation proceedings herein authorized, may be heard before said commissioners, and may produce such testimony before them as may be competent, material and relevant to enable said commissioners to arrive at the fair and equitable value of the property sought to be condemned. The said commissioners shall have power to adjourn from day to day, or to a longer reasonable time, until their work is completed. Upon the completion of their hearing, examination, and deliberations, the said commissioners shall make their report in writing, verified by affidavits, and shall forthwith file the same with the clerk of the court in which the proceedings may have been commenced. Said report shall be filed within sixty days from the date of the first meeting of said commissioners.

Upon the filing of said report the court in which the proceedings are pending shall make an order fixing a time for the filing of exceptions to said report, and directing the clerk of the court to give notice by publication in some newspaper published in the city instituting the condemnation proceedings under this act of the filing of such report and of the time fixed by the court within which exceptions to the said report shall be filed. Such notice shall be directed to the owner or owners of the plant or property condemned and naming them, and to all persons holding liens or encumbrances on said plant or property, and to all persons in anywise interested in said plant or property. The time fixed by the court for filing exceptions shall not be less than thirty days nor more than sixty days from the date of the filing of said report. Within the time fixed by the court for the filing of exceptions thereto, anyone belonging to any of the classes of persons mentioned in the notice directed to be given by the court, or any person interested or who may be affected by the proceedings, may, within the time fixed by the court, file exceptions to said report. On the filing of such exceptions any party filing the same may object to further prosecution of the proceedings because of want of power, for any reason, on the part of the city to institute and prosecute the same, or for want of jurisdiction or other defect rendering the proceedings void, as well as to all irregularities in the proceedings from the first commencement of the same by the mayor and council of the petitioning city down to the time of the filing of such exceptions, and no appearance by any party before the commissioners on their hearing as to the value of the plant and property shall be deemed a waiver by such party or any prior defect or irregularity in the proceedings. It shall be proper ground of exception by any party interested that the award of damages made by the commissioners is inadequate. Upon the hearing by the court of exceptions filed, the court may refer the report back for reconsideration to the commissioners for correction or amendment, unless some exceptions filed shall disclose defects in the proceedings of such a nature that they cannot be corrected by the commissioners on further proceedings, in which case the court may make such order as may be proper, having reference to the nature of the defects in the proceedings shown by the exception or exceptions filed. If defects or irregularities in the proceedings shown by exceptions filed are not of such a nature and character as to require the court to set aside the entire proceedings, the court may on motion of the petitioning city appoint new commissioners if it appears that the action of the mayor and council on instituting the condemnation proceedings has been in conformity to law, and that the city has filed a petition in the court conforming to the requirements of this act, and the same proceedings may thereafter be had as in case of proceedings originally or first commenced under this act.

If no exceptions be filed, or if exceptions filed be overruled, or upon the return into the court of the report of the commissioners after correction or amendment, the

city may move the court to confirm the report of the commissioners, and the court may, upon the hearing of such motion, confirm, or for good cause set aside, or modify the report and award made by the said commissioners. If the court confirm or modify the report and award of the commissioners, it may render judgment of confirmation accordingly, and providing that the absolute title to the entire plant and property condemned, and the right to the possession thereof, shall vest in the city upon the payment of the award of damages specified in the judgment of confirmation rendered by the court. If said report be set aside by the court, new commissioners may be appointed by the court upon motion of the petitioning city, and the same proceedings may then be had by such new commissioners as in case of the proceedings originally or first commenced under this act, unless it be set aside for some reason precluding the court from making an order.

The commissioners appointed by the court under the provisions of this act shall be entitled to a reasonable compensation for their services, the same to be fixed by the court after the filing of their report as herein provided for. The petitioning city shall be liable to said commissioners for the compensation fixed by the court as costs in the proceedings, and for all other costs of the condemnation proceedings provided for by this act, and the same shall be taxed against said city by the court, and judgment against such city be rendered therefor by the court.

Proof to the court of the making of all publications of notice provided for by this act shall be made by affidavit of the printer or publisher, or by other evidence satisfactory to the court.

SEC. 3. The said city proceeding to condemn under this act shall have six months from the date of the judgment of confirmation to elect to take the plant and property condemned for the amount specified and fixed in the judgment of confirmation. Immediately after the rendition of the judgment of confirmation by the court in proceedings under this act, it shall be the duty of the mayor and council of the city instituting the condemnation proceedings for the purpose of submitting to the electors of said city the proposition whether or not the city shall elect to take the property condemned for the amount ascertained and determined by the judgment of confirmation rendered by the court. If a majority of the electors voting upon the proposition so submitted shall favor the same, the mayor and council of said city are hereby authorized to enact a proper ordinance providing for issuance of bonds, which bonds shall run for not exceeding thirty years, nor bear a greater rate of interest than six per cent. per annum, to be sold at par, payable semiannually, and said bonds to be sold by the city and the proceeds thereof used for the purchase of said water-works plant and property which may have been condemned and hereinbefore provided. If the city elects to pay the award fixed and specified in the judgment of confirmation rendered by the court, it may do so within any time during six months from the date of such election by paying the amount fixed and specified in the judgment of confirmation to the clerk of the court in which the condemnation proceedings may have been instituted, and thereupon the title to the entire property and plant condemned, and the right to the possession thereof shall vest absolutely in the city and such city shall have the right to enter into and take possession thereof. The court shall make all orders necessary to protect such city in the possession of said plant and property. When the purchase money is paid for such water-works plant and property condemned, it shall be paid only upon the order of the court. Upon the payment of the purchase money into the court the court shall by order direct and provide that thirty days' notice shall be given by publication in some newspaper published in the city instituting the condemnation proceedings to all persons having or claiming any liens, mortgages or encumbrances on the plant or property condemned of the time and place of hearing such parties respecting such liens, mortgages and encumbrances; and the court may thereafter proceed to ascertain the nature and extent of all liens and encumbrances, and shall order the same to be first paid out of the fund in such order and manner as to the court may seem equitable and just, and the balance of the purchase money shall be paid to the person, company or corporation owning the plant which shall have been condemned, and thereafter the said city shall hold the said plant and property free from all liens and encumbrances created by the person, company or corporation whose plant and property shall have been condemned as hereinbefore.

SEC. 4. That if the city deem it necessary to enlarge or extend said plant, upon the enactment of an ordinance therefor, such matters may be submitted to the electors at the same election at which is submitted the proposition whether or not the city shall elect to take the plant and property condemned, and if a majority of the voters declare in favor of such enlargement, extensions or improvements, the mayor and council shall be empowered to issue additional bonds to the amounts so designated for said purpose.

SEC. 5. The mayor and council shall by ordinance fix all rates for water and sell and dispose of water to any person or corporation within or without said city.

SEC. 6. That the mayor and council shall by ordinance create a water-works department, and provide for the superintendent and such other officers and employees as may be necessary for the proper management of such plant, and fix their compensation; that the revenue and income of said plant shall be kept separate from other funds, and used as follows: (1) For the payment of salaries and wages of said water-works department; (2) the interest on the bonds issued for the purchase of said plant; (3) to pay the necessary betterments; and all sums remaining shall be set aside annually as a sinking-fund for the redemption of the bonds issued for the purchase of said plant until said bonds are fully paid, after which such surplus shall be turned into the general funds of the city.

SEC. 7. It shall be the duty of the mayor and council in any city issuing the bonds as stated in sections 3 and 4 of this act annually, at the time when other

taxes are levied, to levy and cause to be collected a sufficient tax to pay the interest on all such bonds as the same become due, and also for the purpose of creating a sinking-fund for the final redemption of such bonds, provided that the revenues of the water-works plant are insufficient to meet the interest and create a sinking-fund, as provided in this act.

SEC. 8. That the officers of the said water-works company shall be appointed by the mayor for an indefinite term and under civil service, subject to removal by the mayor only for cause, and each officer shall give bond, in such sum as the mayor and council shall provide, for the honest and faithful discharge of their duties.

SEC. 9. That the mayor and council in any city may make a contract with any person, company or corporation, local or foreign, for connection with their pipe-lines and for the supply of water to the inhabitants of such city, and that any person, company or corporation, local or foreign, are hereby empowered to make a contract with such city for the purpose of supplying its inhabitants with water.

SEC. 10. That the mayor and council shall enact all other ordinances necessary for the control, operation and maintenance of such water-works plant.

SEC. 11. None of the restrictions and limitations respecting the amount of city indebtedness contained in any of the statutes of the state of Kansas, heretofore enacted, shall apply to or in any way affect the issuance of the bonds authorized by this act for the purchase of water-works plant and property as hereinbefore provided for.

SEC. 12. If any part or portion of the plant or property of any person, company or corporation, sought to be acquired by any city proceeding under the provisions of this act, be located outside the corporate limits and boundaries of said city, the said city may, nevertheless, proceed under this act to acquire title to such part or portion of the said plant or property as may be so located, and to hold and control the same as the property of the city, the same as though it was located within the corporate limits of said city.

SEC. 13. That all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

SEC. 14. This act shall take effect and be in force from and after its passage and publication in the official state paper.

And the committee further recommends that it retain its place on the Calendar.

That House bill No. 28, An act relating to intoxicating liquors, and supplemental to article 14, chapter 31, of the General Statutes of 1901, be amended by adding at the end of section 7 the following: "and shall on conviction be punished by a fine of not less than ten dollars nor more than one hundred dollars," and that it be passed as amended.

That House bill No. 70, An act to prevent filthy practices in passenger-coaches and cars, and prescribing penalties for the violation thereof, be amended as recommended by the Committee on Hygiene and Public Health, and by adding at the end of section 1 the words "where cuspidors are provided," and that it be passed as amended.

That House bill No. 79, An act to enable townships to issue bonds for the purpose of aiding railroad corporations in securing and paying for lands and water privileges and constructing water-works and water pipe-lines needed for shops, roundhouses or other terminal facilities, be passed over, retaining its place on the Calendar.

That the enacting clause be stricken out of House bill No. 81, An act defining certain nuisances, authorizing state and local food and drug inspectors and state and local health officers to make inspection of certain places and things, to give written notice for the abatement of nuisances and unsanitary places found, providing penalties for the violation of the provisions of this act, and defining the duties of county attorneys in their relation hereto.

F. B. WHEELER, *Chairman.*

Mr. Wheeler moved that the report of the committee of the whole be adopted, which motion prevailed.

REPORTS OF STANDING COMMITTEES.

By unanimous consent, the following reports were submitted:

Mr. Beeson, chairman of the Committee on House Employees, submitted the following report and moved its adoption, which motion prevailed:

MR. SPEAKER: Your Committee on Employees beg leave to submit the

following supplemental report, and recommend the following persons for the positions stated after their names, and that their employment date from the beginning of the session:

Ray Campbell, clerk Railroads Committee.

Pearl Dumeneil, copyist.

Blanche Davenport, clerk Judiciary Local Committee.

J. R. Edwards, night watch.

Elizabeth Grice, copyist.

Hazel Gardner, stenographer,

Vera Johnson, stenographer and clerk Ways and Means Committee.

Dan Jones, doorkeeper, Ways and Means Committee.

J. W. McMahon, assistant sergeant-at-arms.

Geo. Montgomery, page.

Bessie Reno, bookkeeper.

Frank Ryan, clerk Judiciary Committee.

Dora Skarse, attendant, ladies' room.

Susie Williams, stenographer.

A. G. Hagan, janitor.

Rufus Frazier, janitor.

We also recommend that B. O. Williams and J. M. Montgomery, who worked two days each before the session, under the sergeant-at-arms, getting ready for the session, be allowed pay for the 14th and 15th of January each.

C. M. BEESON, *Chairman*.

Mr. Elstun, chairman of the Committee on Insurance, submitted the following report:

MR. SPEAKER: Your Committee on Insurance, to whom was referred House bill No. 119, An act relating to the appointment of agents for life and other insurance companies in the state of Kansas, and prohibiting the superintendent of insurance from issuing a license to such non-resident agents, amending section 19 of chapter 98 of the Laws of 1871, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

W. A. ELSTUN, *Chairman*.

Mr. Westcott, chairman of the Committee on Judiciary Local, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary Local, to whom was referred House bill No. 107, An act to authorize and enable district No. 19, situated in Washington county, Kansas, to levy and collect an additional tax to pay certain indebtedness now owing by said district, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

Also, House bill No. 82, An act to amend section 1, 2 and 3 of chapter 151 of the Session Laws of Kansas of 1907, granting the board of county commissioners of Harvey county, Kansas, the right to sell the present county jail building and to dispose of the proceeds of sale, erect a new county jail building and sheriff's residence combined, to levy an annual tax on all the taxable property in the county in payment therefor, and the repeal of original sections 1, 2 and 3 of chapter 151 of the Session Laws of Kansas of 1907, and recommend that it be amended as follows: That the letter "s" be added to the word "section" in the first line of the title; strike out the first "the" in line 6 of the title and insert in lieu thereof the word "to"; strike out the period after the word "dollars" in the last line of section 1 and insert in lieu thereof a semicolon, and add the following: "provided, a majority of the electors of said county shall vote in favor thereof at the general election held in the year 1908"; that section 2 be amended by striking out the figures "1908" in line 6 and inserting in lieu thereof the figures "1909"; that section 3 be amended by striking out the figures

"1909" in line 4 of said section and inserting the figures "1910" in lieu thereof, and that the bill be passed as amended.

S. C. WESTCOTT, *Chairman*.

Mr. Morgan, chairman of the Committee on Railroads, submitted the following report:

MR. SPEAKER: Your Committee on Railroads, to whom was referred House bill No. 115, An act to amend section 8, chapter 268, Session Laws of 1907, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed as amended.

Also, House bill No. 101, An act supplemental to chapter 286 of the Session Laws of 1901, chapter 340 of the Session Laws of 1905, and chapter 268 of the Session Laws of 1907, concerning the time in which the orders made by the Board of Railroad Commissioners shall take effect and remain in force, relative to railroad freight and passenger schedules, rates, tariffs, and classifications, and providing penalties for the failure or neglect of the railroads to obey such orders, and recommend that it be passed.

Also, Senate bill No. 3, An act concerning railroads, amending and repealing section 1 of chapter 272 of the Session Laws of 1907, and providing penalties for the violation thereof, and recommend that it be not passed.

Also, House bill No. 98, An act providing for separate daily passenger and freight service upon all railroads in Kansas, and providing a penalty for a violation thereof, and empowering the Board of Railroad Commissioners to order a discontinuance of separate daily passenger service in certain cases, and recommend that it be not passed.

Also, House bill No. 26, An act to amend section 5980 of the General Statutes of Kansas of 1901, and to repeal said original section, and recommend that it be not passed.

Also, House bill No. 20, An act relating to the stopping of passenger-trains for receiving and letting off passengers at railroad stations in town and cities in Labette county, Kansas, having a population of one thousand or more, and recommend that it be passed.

Also, House bill No. 5, An act relating to sleeping-car rates in the state of Kansas, and recommend that it be not passed.

Also, House bill No. 97, An act compelling railway companies to subscribe, pay rent for, and attend telephones in their depots, and providing penalties for the violation of this act, and recommend that it be not passed.

Also, House bill No. 67, An act empowering the Board of Railroad Commissioners upon complaint to investigate all express rates charged by express companies within the state of Kansas, and directing such investigations to be made and to change any rate or rates or classification and substitute therefor a reasonable rate or rates or classification, and recommend that it be passed.

Also, House bill No. 65, An act amending article 1, chapter 274, of the Session Laws of 1907 of the state of Kansas, and recommend that it be not passed.

Also, House bill No. 66, An act requiring railroad companies to permit passengers to ride upon freight-trains who are provided with tickets or who tender the cash fare for such services, and recommend that it be not passed.

W. Y. MORGAN, *Chairman*.

Mr. Stannard, chairman of the Committee on Live Stock, submitted the following report:

MR. SPEAKER: Your Committee on Live Stock, to whom was referred House bill No. 105, An act amending section 4 of chapter 388 of the Session Laws of Kansas of 1907, and repealing said original section 4, have had the same under consideration, and instruct me to report the bill back

to the House with the recommendation that it be amended to read as follows:

SECTION 1. That section 1 of chapter 388, Session Laws of 1907, be and the same is hereby made so as to read as follows: Section 1. Within thirty days after this act takes effect the governor shall appoint a board to be known as the State Board of Veterinary Examiners, which shall consist of three qualified veterinarians, residents of the state of Kansas, each of whom shall be a graduate of a reputable school of veterinary surgery and medicine prescribing a course of not less than two years' study, and shall have had not less than three years' actual practice in his profession, and no two of whom shall be graduates of the same veterinary school of medicine and surgery. They shall hold their offices, one to serve for one year, one for two years, one for three years, or until their successors shall have been appointed; and each year thereafter the governor shall appoint one member to fill the vacancy caused by the expired term, who shall serve for three years; and he shall also fill by appointment any other vacancies that may occur at any time by death, resignation or otherwise. No member of the faculty of any school of veterinary surgery or medicine, or a member of the faculty of any school wherein veterinary dentistry is taught, shall be eligible to appointment upon the said board. Each member of the board shall take and subscribe the oath prescribed by law for state officers, which oath shall be filed with the secretary of state. The board shall organize by the selection of a president and secretary from among their own members, each to serve for such term as the board may designate, not exceeding three years. It shall formulate rules and by-laws, not in conflict with law, and shall adopt a common seal, which shall be affixed to all certificates issued by them, and the president and secretary shall sign such certificates.

SEC. 2. That section 4 of chapter 388 of the Session Laws of Kansas, 1907, be and the same is hereby amended to read as follows: Sec. 4. Any person who shall furnish satisfactory proof to the board that he has practiced veterinary medicine, veterinary surgery, or any branch thereof, including veterinary dentistry, for pay, in the state of Kansas for two years next preceding the passage of this act, may obtain from the board a certificate as non-graduate to practice veterinary medicine, veterinary surgery or veterinary dentistry in the state of Kansas, without examination, upon payment of a fee of ten dollars, accompanying his application, provided he shall make application to the board of examiners before July 1, 1909.

SEC. 3. That section 6 of chapter 388 of the Session Laws of 1907 be and the same is amended to read as follows: Sec. 6. Every certificate issued by the board of examiners to practice veterinary surgery, medicine or dentistry, as the case may be, shall state the provisions, whether graduate or non-graduate, and indicate the section of this act under which it is issued, and such certificate must be displayed in a conspicuous place in his place of business at all times, and, except when obtained by fraud, shall be conclusive evidence of the right to the holder to practice veterinary medicine, veterinary surgery or veterinary dentistry in the state of Kansas, and each veterinarian registered in the state shall pay to the secretary one dollar annually as dues to be applied to the veterinary fund.

SEC. 4. That section 12 of chapter 388 of the Session Laws of 1907 be and the same is hereby amended to read as follows: Sec. 12. The members of the board created by this act shall serve without compensation, but their actual traveling and incidental expenses necessary to the performance of their duties, except the secretary thereof, who shall receive a monthly salary of fifteen dollars per month and ten dollars per month for office rent, to be used by said board, said compensation and office rent to be computed from April 7, 1907, and such sums shall be paid out of the state treasury from the fund received under the provisions of this act, providing that the total amount paid from the state treasury under the provisions of this act shall not exceed the amount paid into the treasury, as herein provided.

That section 2 of the bill be numbered section 5, and read as follows:

SEC. 5. That original sections 1, 4, 6 and 12 of chapter 388 of the Session Laws of 1907 be and the same are hereby repealed.

That section 3 of the bill be numbered section 6.

That the title of the act be amended to read as follows:

An act amending sections 1, 4, 6 and 12 of chapter 388 of the Session Laws of Kansas of 1907, and repealing said original sections 1, 4, 6 and 12.

And that the bill be passed as amended.

C. A. STANNARD, *Chairman*.

Mr. Stubbs asked unanimous consent to have the following telegram read. Consent being granted, the clerk thereupon read as follows:

WASHINGTON, D. C., January 22, 1908.

Hon. W. R. Stubbs, Topeka, Kan.:

Secretary Taft desires that you convey to the House of Representatives his sincere thanks for generous indorsement given him yesterday.

J. L. BRISTOW.

Mr. Speaker Simmons, by unanimous consent, withdrew Senate bill No. 109 from the committee of the whole and referred the same to the Ways and Means Committee.

Mr. Archer moved that the rules be suspended and that 200 copies of the bill suggested by Mr. Enright, relating to the guaranty deposit law, be printed; also, 200 copies of the bill suggested by Mr. Haskins, relating to the guaranty deposit law, be printed. Motion prevailed.

Mr. Brandon moved that House bill No. 111 be included in the above motion, and that 500 copies of the same be printed, which motion prevailed.

Mr. Saunders moved that an emergency be declared, the rules suspended, and that House bill No. 91, which was reported adversely by the Committee on Assessment and Taxation, be placed upon the Calendar, which motion prevailed.

Mr. Saunders moved that 500 copies of House bill No. 91 be printed, which motion prevailed.

Mr. Bird moved that the House do now adjourn to ten o'clock to-morrow morning, which motion prevailed.

SEVENTH DAY.

MORNING SESSION.

HALL OF THE HOUSE OF REPRESENTATIVES,
January 23, 1908—10 A. M.

The House convened, with Speaker Simmons in the chair.

The roll was called and 119 gentlemen were present and answered to their names.

Gentlemen absent were: Messrs. Creech, Rall, and Ransom.

Gentlemen absent by leave were: Messrs. Creech, Rall, and Ransom.

Quorum present.

Prayer by the chaplain.

READING AND CORRECTION OF THE JOURNAL.

Mr. Kirtland moved that the rules be suspended, and that the further reading of the Journal be dispensed with, and that the same be referred to the Committee on Supervision of the Journal, which motion prevailed.

SECOND READING AND REFERENCE OF SENATE BILLS.

The following Senate bills were thereupon read the second time and referred to committees, as follows:

Judiciary:

Senate bill No. 12, An act to authorize the erection and maintenance of water-works in the state of Kansas.

Judiciary Local:

Senate bill No. 15, An act regulating the meetings of the boards of county commissioners.

Banks and Banking:

Senate bill No. 32, An act to amend section 1 of chapter 68 of the Session Laws of 1903, being section 408 of the General Statutes of 1901 as repealed by said act of 1903, relating to the management and control of banking.

Senate bill No. 33, An act designating the state treasurer as the fiscal agent of the state of Kansas, and regulating the same, and amending and repealing section 3155, General Statutes, 1901, and all acts in conflict herewith.

Assessment and Taxation:

Senate bill No. 38, An act authorizing all counties in Kansas to levy a tax for the purpose of paying off their indebtedness.

Cities of the Second Class:

Senate bill No. 77, An act to amend chapter 125 of the Session Laws of 1907, being an act to amend section 949 of the General Statutes of Kansas of 1901, relating to officers elected and appointed in cities of the second class, and repealing said original section.

Ways and Means:

Senate bill No. 108, An act amending section 5 of chapter 23 of the Session Laws of 1907, relating to the hard-fiber twine plant of the Kansas State Penitentiary, at Lansing, and making an appropriation for the operation thereof, and providing for the payment of salary of clerk and cashier of said plant.

REPORT OF STANDING COMMITTEE.

Mr. Leland, chairman of the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate bill No. 109, An act making appropriation for legislative purposes, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

Also, House bill No. 15, An act appropriating money for the payment of the pension of Harry Parks, and recommend that it be passed.

Also, Senate bill No. 60, An act making appropriation to pay claim against the state on the part of J. S. Dalziel, and recommend that it be passed.

C. LELAND, JR., *Chairman.*

Mr. Leland moved that an emergency be declared, the rules suspended, and that Senate bill No. 109 be placed on third reading, subject to amendment and debate, which motion prevailed.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed by the Senate to inform the House that the Senate has passed Senate bill No. 5, An act relating to primary elections, providing for the organization and government of political parties, repealing chapter 115, Laws of 1891, and all other acts and parts of acts in conflict herewith, and prescribing and fixing penalties for the violation hereof.

Also, House bill No. 39, An act relating to certain corporate acts of the First State Bank of Larned, Kansas.

Also, Senate bill No. 94, An act authorizing the disposition of certain funds in Morton county, Kansas.

Also, Senate bill No. 50, An act to authorize and enable district No. 19, situated in Washington county, Kansas, to levy and collect an additional tax to pay certain indebtedness now owing by said district.

Also, House bill No. 35, An act relating to terms of court in the thirty-second judicial district, and repealing all acts and parts of acts in conflict herewith.

Also, Senate bill No. 97, An act authorizing Stevens and Morton counties to drill for artesian well.

Also, Senate bill No. 100, An act relating to the terms of court in the thirty-third judicial district.

Also, Senate bill No. 62, An act to amend sections 1, 2 and 3 of chapter 151 of the Session Laws of Kansas, 1907, granting the board of county commissioners of Harvey county, Kansas, the right to sell the present county jail building and to dispose of the proceeds of sale, erect a new

county jail building and sheriff's residence combined, to levy an annual tax on all the taxable property in the county in payment therefor, and the repeal of original sections 1, 2 and 3 of chapter 151 of the Session Laws of Kansas, 1907.

Also, House bill No. 37, An act authorizing the city of Oberlin, Kan., to refund twenty-five thousand dollars of bonds issued by it on the 1st day of September, 1888.

Also, House bill No. 40, An act authorizing Mitchell township, in Rice county, Kansas, to take and appropriate a sum, not to exceed the sum of one thousand dollars, out of the general fund of said township, and to use the same in the erection and furnishing of a township hall.

Also, House bill No. 25, An act to amend section 2 of chapter 76 of the Session Laws of 1907.

Also, House bill No. 22, An act to legalize the issue of certain bonds by the city of Winfield.

Also, House bill No. 23, An act to amend section 1 of chapter 164 of the Laws of Kansas, 1905.

Also, House bill No. 24, An act to amend section 2, chapter 74, of the Session Laws of 1907.

Also, House bill No. 122, An act to authorize the township board of Sherman, Sedgwick county, Kansas, to issue bonds for the purpose of erecting a public building and to purchase a site therefor.

Also, House bill No. 11, An act to amend section 1 of chapter 75 of the Session Laws 1907.

Also, House bill No. 49, An act fixing the metes and bounds of the city of Oakley, Logan county, Kansas.

Also, House bill No. 41, An act to authorize the city of Winfield, in Cowley county, to issue its bonds for the purpose of paying for the operation, improvement and extension of its water-works plant.

Also, Senate bill No. 53, An act in relation to sidewalks in the city of Leon, Kan.

Also, Senate bill No. 115, An act to amend section 994 of the General Statutes of 1901, relating to the powers of city councils in cities of the second class.

Also, Senate bill No. 116, An act authorizing the board of education of the city of Pratt, Pratt county, Kansas, to levy a tax for the support of the schools of the city.

The same are herewith transmitted. W. S. KRETSINGER, *Secretary*.

The above Senate bills were thereupon read the first time.

ORIGINAL MOTIONS AND RESOLUTIONS.

Mr. Leydig moved that Senate bill No. 15 be recalled from Judiciary Local Committee and be substituted for House bill No. 71 and that House bill No. 71 be stricken from the Calendar, which motion prevailed.

Mr. Brierley offered House concurrent resolution No. 5, relating to final adjournment.

Mr. Fisher offered House resolution No. 8, as follows:

WHEREAS, The long and serious illness of the Hon. J. W. Creech, of Dickinson county, has deprived this House of his wise counsel and valuable service; and

WHEREAS, Because of his continued sickness he will be unable to participate in the deliberations of this special session: Therefore be it *Resolved*, That the House of Representatives extend to the Hon. J. W. Creech its expressions of tender regard and sympathy and its best wishes for his speedy recovery, and that a copy of these resolutions be forwarded to Mr. Creech.

Mr. Fisher moved its adoption, which motion prevailed.

Mr. Ham moved that an emergency be declared, the rules suspended, and that Senate bill No. 3 and House bill No. 26, which are on the Calendar under the head of "Bills Adversely Reported," be placed upon the Calendar under the head of "General Orders," and that the same be referred to the committee of the whole.

Roll-call being demanded, the chair asked for a sufficient number of hands; sufficient number being shown, the chair ordered the roll-call.

The question being, Shall Senate bill No. 3 and House bill No. 26, which are adversely reported, be placed upon the Calendar under the head of "General Orders"? the roll was called, with the following result: Yeas 52, nays 47; absent or not voting, 23.

Members voting in the affirmative were: Messrs. Adams, Archer, Banks, Blaine, Boggs, Brown, Clark, Cole, Cottingham, Cowan, Davis, Davison of Marion, Dennis, Enright, Fisher, Flanigan, Foley, Fraser, Gants, Ham, Hart, Hendricks, Husey, Ingalls, Kirtland, Lander, Leland, Lennen, Leydig, Milligan, Mitchell, Morgan of Hodgeman, Murphy, Padgett, Peter, Reynard, Rockefeller, Roush, Ryan, Sherer, Skinner, Stannard, Stockton, Stone, Stubbs, Sweeny, Swope, Thompson, Tredway, Warren, Wells, and Wilson.

Members voting in the negative were: Beeson, Bird, Boyle, Craddock, Curran, Edwards, Elstun, Gesner, Grass, Guyer, Haskins, Helmick, Holden of Wichita, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Jones, Kinnison, Leland, McGillivray, Mayhew, Mercer, Miller, Montee, Morgan of Reno, Myers, Oshant, Patterson, Pohlman, Polley, Pomeroy, Potts, Price, Rich, Richmond, Rochester, Schmidt, Shepard, Sipple, Snyder, Sourbeer, Taylor, Westcott, Wheeler, White, and Mr. Speaker Simmons.

Members absent or not voting were: Berryman, Brandon, Brierley, Chatten, Creech, Crumly, Cunningham, Davidson of Sedgwick, Finley, Gordon, Kiff, Martin, Neihart, O'Conner, Plumb, Rall, Ransom, Rhodes, Richardson, Saunders, Tannahill, Umholtz, and Woodhouse.

A two-thirds majority not having voted in favor of the motion, the motion was lost.

Mr. White moved that the House do now reconsider its action in reference to Senate bill No. 3 and House bill No. 26.

Mr. Archer moved to lay the motion of Mr. White, to reconsider, on the table.

Roll-call being demanded, the chair asked for a sufficient number of hands; sufficient number being shown, the chair ordered a roll-call.

The question being, Shall the motion of Mr. Archer to lay the motion of Mr. White, to reconsider, on the table? the roll was called, with the following result: Yeas 48, nays 57; absent or not voting, 17.

Members voting in favor of the motion to lay on the table were: Archer, Beeson, Berryman, Bird, Boyle, Chatten, Craddock, Curran, Edwards, Elstun, Gesner, Grass, Helmick, Holden of Wichita, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Jones, Kiff, Kinnison, Lehman, McGillivray, Martin, Mercer, Montee, Morgan of Hodgeman, Morgan of Reno, Myers, O'Conner, Oshant, Patterson, Pohlman, Polley, Pomeroy, Potts, Rich, Rochester, Schmidt, Shepard, Sipple, Snyder, Sourbeer, Taylor, Umholtz, Westcott, Wheeler, and Mr. Speaker Simmons.

Members voting in the negative were: Banks, Blaine, Boggs, Brandon, Brown, Clark, Cole, Cottingham, Cowan, Cunningham, Davis, Davison of Marion, Dennis, Enright, Finley, Fisher, Flanigan, Foley, Fraser, Ham, Hart, Haskins, Hendricks, Husey, Ingalls, Kirtland, Lander, Leland, Lennen, Leydig, Mayhew, Miller, Mitchell, Murphy, Padgett, Peter, Reynard, Rhodes, Rockefeller, Roush, Ryan, Saunders, Sherer, Skinner, Stannard, Stockton, Stone, Stubbs, Sweeny, Swope, Thompson, Tredway, Warren, Wells, White, Wilson, and Woodhouse.

Members absent or not voting were: Adams, Brierley, Creech, Crumly, Davidson of Sedgwick, Gants, Gordon, Guyer, Milligan, Neihart, Plumb, Price, Rall, Ransom, Richardson, Richmond, and Tannahill.

A majority not having voted in favor of the motion to lay on the table, the motion did not prevail.

Mr. Wheeler moved the previous question, the same being the motion of Mr. White to reconsider the action of the House with reference to Senate bill No. 3 and House bill No. 26.

Roll-call being demanded, the chair asked for a sufficient number of hands; sufficient number being shown, the chair ordered a roll-call.

The question being, Shall the motion of Mr. Wheeler to move the previous question prevail? the roll was called, with the following result: Yeas 53, nays 56; absent or not voting, 13.

Members voting in the affirmative were: Archer, Banks, Beeson, Berryman, Bird, Blaine, Boggs, Boyle, Brown, Clark, Cole, Cowan, Curran, Edwards, Elstun, Enright, Gesner, Haskins, Helmick, Holden of Wichita, Husey, Jeffries, Johnson, Jones, Kinnison, Lehman, Leydig, McGillivray, Milligan, Montee, Morgan of Reno, O'Conner, Patterson, Pohlman, Polley, Pomeroy, Potts, Price, Rich, Richmond, Rochester, Ryan, Schmidt, Shepard, Sipple, Snyder, Sourbeer, Taylor, Umholtz, Westcott, Wheeler, Woodhouse, and Mr. Speaker Simmons.

Members voting in the negative were: Messrs. Chatten, Cottingham, Cowan, Cunningham, Davis, Davison of Marion, Dennis, Finley, Fisher, Flanigan, Foley, Fraser, Gants, Gordon,

Grass, Guyer, Ham, Hart, Hendricks, Hutcheson, Ingalls, Kiff, Kirtland, Lander, Leland, Lennen, Martin, Mayhew, Mercer, Miller, Mitchell, Murphy, Oshant, Padgett, Peter, Plumb, Reynard, Rhodes, Rockefeller, Roush, Saunders, Sherer, Skinner, Stannard, Stockton, Stone, Stubbs, Sweeny, Swope, Tannahill, Thompson, Tredway, Warren, Wells, White, and Wilson.

Members absent or not voting were: Messrs. Adams, Brandon, Brierley, Creech, Crumly, Davidson of Sedgwick, Holdren of Montgomery, Morgan of Hodgeman, Myers, Neihart, Rall, Ransom, and Richardson.

A majority not having voted in favor of the motion, the motion did not prevail.

Mr. White moved that the House take a recess until two o'clock P. M., which motion prevailed.

AFTERNOON SESSION.

The House reconvened at two o'clock, with Speaker Simmons in the chair.

Mr. Ham moved that an emergency be declared, the rules suspended, and that Senate bill No. 3 and House bill No. 26 be placed on the Calendar under the head of "General Orders," and that the same be referred to the committee of the whole.

Roll-call being demanded, the chair asked for a sufficient number of hands; sufficient number being shown, the chair ordered the roll-call.

The question being, Shall Senate bill No. 3 and House bill No. 26, which are adversely reported, be placed upon the Calendar under the head of "General Orders"? the roll was called, with the following result: Yeas 61, nays 53; absent or not voting, 8.

Members voting in favor of the motion were: Messrs. Adams, Banks, Blaine, Boggs, Brandon, Brown, Clark, Cole, Cottingham, Cowan, Cunningham, Davidson of Sedgwick, Davis, Davison of Marion, Dennis, Finley, Fisher, Flanigan, Foley, Fraser, Gants, Ham, Hart, Hendricks, Husey, Ingalls, Kirtland, Lander, Leland, Lennen, Leydig, Mayhew, Mercer, Mitchell, Morgan of Hodgeman, Murphy, Neihart, Oshant, Padgett, Peter, Plumb, Reynard, Rhodes, Rockefeller, Roush, Ryan, Saunders, Sherer, Skinner, Stannard, Stockton, Stone, Stubbs, Swope, Tannahill, Thompson, Tredway, Warren, Wells, White, and Wilson.

Members voting in the negative were: Messrs. Archer, Beeson, Berryman, Bird, Boyle, Craddock, Curran, Edwards, Elstun, Enright, Gesner, Gordon, Grass, Guyer, Haskins, Helmick, Holden of Wichita, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Jones, Kiff, Kinnison, Lehman, McGillivray, Martin, Miller, Milligan, Montee, Morgan of Reno, O'Conner, Patterson, Pohlman, Polley, Pomeroy, Potts, Price, Rich, Rich-

mond, Rochester, Schmidt, Shepard, Sipple, Snyder, Sourbeer, Sweeny, Taylor, Umholtz, Westcott, Wheeler, Woodhouse and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Brierley, Chaten, Creech, Crumly, Myers, Rall, Ransom, and Richardson.

A two-thirds majority not having voted in favor of the motion, the motion did not prevail.

ORIGINAL MOTIONS AND RESOLUTIONS.

Mr. Brown asked unanimous consent to have Senate bills Nos. 74 and 78 and House bill No. 72 placed on the Calendar under the head of "General Orders," which consent was granted.

Mr. Brown asked unanimous consent to have House bill No. 92 stricken from the Calendar, which consent was granted.

Senate concurrent resolution No. 6, Relating to Hon. W. H. Taft as candidate for President of United States, was read the second time.

Mr. Morgan moved that the resolution be adopted, which motion prevailed.

Senate concurrent resolution No. 7, Relating to rules to govern the mode of procedure in the two houses, was read the second time.

Mr. Stubbs moved to lay the resolution on the table, which motion prevailed.

REPORTS OF STANDING COMMITTEES.

Mr. Brandon, chairman of the Committee on Banks and Banking, submitted the following report:

MR. SPEAKER: Your Committee on Banks and Banking, to whom was referred House bill No. 123, An act providing for the security of depositors in the incorporated state banks of Kansas, for the enforcement thereof, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be not passed.

Also, House bill No. 13, An act providing for the security of depositors in the incorporated state banks of Kansas, and recommend that it be not passed.

Also, House bill No. 7, An act relating to the guaranty of bank deposits, and recommend that it be not passed.

Also, Senate bill No. 32, An act relating to banks and banking, and recommend that it be passed.

Also, House bill No. 19, An act to guarantee deposits in banks, and recommend that it be not passed.

Also, Senate bill No. 31, An act amending section 434 of the General Statutes 1901, relating to banks and banking, and repealing original section 434 and all acts or parts of acts in conflict therewith, and recommend that at the end of section 1 the following be inserted: "Provided, that the bank commissioner shall appoint any person whom the holders of more than fifty per cent. of the claims against such failed bank may agree upon in writing; and provided further, that such creditors so agreeing shall have the right to contract with the person whom they may name as to the compensation and charges to be by him received for liquidating the affairs of such bank"; and that the bill be passed as amended.

S. H. BRANDON, *Chairman.*

Mr. Davison, chairman of the Committee on Elections, asked unanimous consent to submit the following report:

MR. SPEAKER: Your Committee on Elections, to whom was referred Senate bill No. 1, An act providing for the selection of party nominees for United States senator, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be not passed, for the reason that matter contained in this bill has already been considered and passed upon by the House.

E. F. DAVISON, *Chairman*.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed by the Senate to inform the House that the Senate has amended, and passed as amended, House bill No. 18, An act relating to primary elections, providing for the organization and government of political parties, repealing chapter 115, Laws of 1891, and all other acts and parts of acts in conflict herewith, and prescribing and fixing penalties for the violation hereof.

The same is herewith transmitted. W. S. KRETSINGER, *Secretary*.

Mr. Saunders moved that the rules be suspended, and that all the bills relating to the guaranty deposit law be made a special order for to-morrow morning, at ten o'clock, which motion prevailed.

Mr. Enright moved that the rules be suspended, and that the two bills informally offered by himself and Mr. Haskins be placed on the Calendar along with the other bills on the guaranty deposit law and be considered in connection with them, which motion prevailed.

Mr. Kirtland asked unanimous consent to offer House joint resolution No. 3, Relating to setting apart rooms permanently for use as committee rooms for certain committees.

Mr. Archer moved that the rules be suspended, and that Senate bill No. 5 be made a special order for five o'clock this evening, which motion prevailed.

Mr. Leland moved that an emergency be declared, the rules suspended, and that Senate bill No. 109 be placed on third reading, subject to amendment and debate, which motion prevailed.

BILLS ON THIRD READING.

Senate bill No. 109, An act making appropriation for legislative purposes, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 93, nays 5; absent or not voting, 24.

Members voting in favor of the passage of the bill were: Adams, Archer, Banks, Beeson, Blaine, Boggs, Boyle, Brandon, Brierley, Brown, Clark, Cole, Cottingham, Cowan, Craddock, Cunningham, Curran, Davidson of Sedgwick, Davis, Davison of Marion, Dennis, Edwards, Elstun, Enright, Finley, Fisher, Flanigan, Foley, Fraser, Gants, Gesner, Gordon, Grass, Ham, Hart, Haskins, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Ingalls, Jeffries, Johnson, Jones, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, McGillivray, Martin, Mercer, Miller, Mitchell, Morgan of Hodge-

man, Murphy, Neihart, Oshant, Padgett, Patterson, Peter, Plumb, Polley, Pomeroy, Potts, Price, Reynard, Rich, Rochester, Rockefeller, Schmidt, Sherer, Sipple, Skinner, Snyder, Sourbeer, Stannard, Stockton, Stone, Stubbs, Sweeny, Swope, Tannahill, Taylor, Thompson, Tredway, Umholtz, Warren, Westcott, Wheeler, White, Wilson, and Woodhouse.

Members voting in the negative were: Bird, Mayhew, O'Conner, Ryan, and Saunders.

Members absent or not voting were: Berryman, Chatten, Creech, Crumly, Elstun, Guyer, Helmick, Husey, Kiff, Leydig, Milligan, Montee, Morgan of Reno, Myers, Pohlman, Rall, Ransom, Rhodes, Richardson, Richmond, Roush, Shepard, Wells, and Mr. Speaker Simmons.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 78, An act vacating unimproved town sites, was read the third time.

Mr. McGillivray moved that the title be amended to read as follows:

• An act vacating the town site of Rock Island, Grant county, Kansas.

The question being, Shall the bill pass as amended? the roll was called, with the following result: Yeas 84, nays 0; absent or not voting, 38.

Members voting in favor of the passage of the bill were: Adams, Archer, Banks, Bird, Blaine, Boggs, Boyle, Brandon, Brierley, Brown, Clark, Cole, Cottingham, Cowan, Crumly, Curran, Davidson of Sedgwick, Dennis, Edwards, Elstun, Enright, Finley, Fisher, Flanigan, Foley, Fraser, Gesner, Gordon, Grass, Guyer, Ham, Hart, Haskins, Helmick, Hendricks, Holden of Wichita, Holdren of Montgomery, Husey, Hutcheson, Ingalls, Johnson, Jones, Kiff, Kinnison, Kirtland, Lander, Leland, Lennen, Leydig, McGillivray, Martin, Miller, Milligan, Murphy, Neihart, O'Conner, Oshant, Padgett, Patterson, Pomeroy, Potts, Price, Reynard, Rhodes, Rich, Richmond, Rochester, Rockefeller, Ryan, Sherer, Sipple, Skinner, Sourbeer, Stockton, Sweeny, Swope, Tannahill, Thompson, Tredway, Wells, Westcott, Wheeler, White, Wilson, and Woodhouse.

Members absent or not voting were: Beeson, Berryman, Boggs, Chatten, Craddock, Creech, Cunningham, Davis, Davison of Marion, Gants, Jeffries, Lehman, Mayhew, Mercer, Mitchell, Montee, Morgan of Hodgeman, Morgan of Reno, Myers, Peter, Plumb, Pohlman, Polley, Rall, Ransom, Richardson, Roush, Saunders, Schmidt, Shepard, Snyder, Stannard, Stone, Stubbs, Taylor, Umholtz, Warren, and Mr. Speaker Simmons.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title as amended was agreed to.

Mr. Enright moved that an emergency be declared, the rules suspended, and that House bills Nos. 45 and 46, now under the head of "General Orders," be placed on third reading, subject to amendment and debate, which motion prevailed.

House bill No. 45, An act relating to the acquisition and operation by cities of the first class having more than 50,000 population of the water-works supply plant and property of any person, company or corporation in any case where the franchise of such person, company or corporation to supply any such city of the first class with water has expired or may hereafter expire, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 84, nays 0; absent or not voting, 38.

Members voting in favor of the passage of the bill were: Messrs. Adams, Archer, Banks, Bird, Blaine, Boggs, Boyle, Brandon, Brierley, Brown, Clark, Cole, Cottingham, Cowan, Crumly, Curran, Davidson of Sedgwick, Dennis, Edwards, Elstun, Enright, Finley, Fisher, Flanigan, Foley, Fraser, Gesner, Gordon, Grass, Guyer, Ham, Hart, Haskins, Helmick, Hendricks, Holden of Wichita, Holdren of Montgomery, Husey, Hutcheson, Ingalls, Johnson, Jones, Kiff, Kinison, Kirtland, Lander, Leland, Lennen, Leydig, McGillivray, Martin, Miller, Milligan, Murphy, Neihart, O'Conner, Oshant, Padgett, Patterson, Pomeroy, Potts, Price, Reynard, Rhodes, Rich, Richmond, Rochester, Rockefeller, Ryan, Sherer, Sipple, Skinner, Sourbeer, Stockton, Sweeny, Swope, Tannahill, Thompson, Tredway, Umholtz, Wells, Westcott, Wheeler, White, Wilson, and Woodhouse.

Members absent or not voting were: Messrs. Beeson, Berryman, Boggs, Chatten, Craddock, Creech, Cunningham, Davis, Davison of Marion, Gants, Jeffries, Lehman, Mayhew, Mercer, Mitchell, Montee, Morgan of Hodgeman, Morgan of Reno, Myers, Peter, Plumb, Pohlman, Polley, Rall, Ransom, Richardson, Roush, Saunders, Schmidt, Shepard, Snyder, Stannard, Stone, Stubbs, Taylor, Umholtz, Warren, and Mr. Speaker Simmons.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 46, An act relating to cities of the first class having a population of more than 50,000, and providing for and authorizing tax levies in such cities, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 84, nays 0; absent or not voting, 38.

Members voting in favor of the passage of the bill were: Messrs. Adams, Archer, Banks, Bird, Blaine, Boyle, Brandon, Brierley, Brown, Clark, Cole, Cottingham, Cowan, Crumly, Curran, Davidson of Sedgwick, Dennis, Edwards, Elstun, Enright, Finley, Fisher, Flanigan, Foley, Fraser, Gesner, Gor-

don, Grass, Guyer, Ham, Hart, Haskins, Helmick, Hendricks, Holden of Wichita, Holdren of Montgomery, Husey, Hutcheson, Ingalls, Johnson, Jones, Kiff, Kinnison, Kirtland, Lander, Leland, Lennen, Leydig, McGillivray, Martin, Miller, Milligan, Murphy, Neihart, O'Conner, Oshant, Padgett, Patterson, Pomeroy, Potts, Price, Reynard, Rhodes, Rich, Richmond, Rochester, Rockefeller, Ryan, Sherer, Sipple, Skinner, Sourbeer, Stockton, Sweeny, Swope, Tannahill, Thompson, Tredway, Wells, Westcott, Wheeler, White, Wilson, and Woodhouse.

Members absent or not voting were: Messrs. Beeson, Berryman, Boggs, Chatten, Craddock, Creech, Cunningham, Davis, Davison of Marion, Gants, Jeffries, Lehman, Mayhew, Mercer, Mitchell, Montee, Morgan of Hodgeman, Morgan of Reno, Myers, Peter, Plumb, Pohlman, Polley, Rall, Ransom, Richardson, Roush, Saunders, Schmidt, Shepard, Snyder, Stannard, Stone, Stubbs, Taylor, Umholtz, Warren, and Mr. Speaker Simmons.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 56, An act to amend sections 3, 4 and 10 of chapter 502 of the Session Laws of 1905, and to provide for the assessment and valuation for purposes of taxation of telephone companies, oil pipe-line companies and gas pipe-line companies which are local in their character and confined to the limits of a single county, was read the third time.

Mr. Archer moved that the title be amended by inserting the words "and telegraph" after the word "telephone," which motion prevailed.

The question being, Shall the bill pass as amended? the roll was called, with the following result: Yeas 85, nays 0; absent or not voting, 37.

Members voting in favor of the passage of the bill were: Messrs. Adams, Archer, Bird, Blaine, Boyle, Brandon, Brierley, Brown, Clark, Cole, Cowan, Craddock, Cunningham, Curran, Davidson of Sedgwick, Dennis, Elstun, Enright, Finley, Fisher, Flanigan, Foley, Fraser, Gordon, Grass, Ham, Hart, Haskins, Helmick, Hendricks, Holden of Wichita, Holdren of Montgomery, Husey, Hutcheson, Ingalls, Jeffries, Johnson, Jones, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Mayhew, Miller, Milligan, Montee, O'Conner, Oshant, Padgett, Patterson, Polley, Pomeroy, Potts, Price, Reynard, Rich, Rochester, Rockefeller, Roush, Ryan, Saunders, Sherer, Sipple, Skinner, Sourbeer, Stockton, Stone, Sweeny, Swope, Tannahill, Thompson, Tredway, Umholtz, Warren, Wells, Westcott, Wheeler, White, Wilson, and Woodhouse.

Members absent or not voting were: Messrs. Banks, Beeson, Berryman, Boggs, Chatten, Cottingham, Creech, Crumly, Davis, Davison of Marion, Edwards, Gants, Gesner, Guyer, Martin, Mercer, Mitchell, Morgan of Hodgeman, Morgan of Reno,

Murphy, Myers, Neihart, Peter, Plumb, Pohlman, Rall, Ransom, Rhodes, Richardson, Richmond, Schmidt, Shepard, Snyder, Stannard, Stubbs, Taylor, and Mr. Speaker Simmons.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title as amended was agreed to.

House bill No. 54, An act concerning assessment and taxation, and to amend section 17 of chapter 408 of the Session Laws of 1907, and to repeal sections 7611 and 7702 of the General Statutes of 1901, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 84, nays 0; absent or not voting, 38.

Members voting in favor of the passage of the bill were: Adams, Archer, Banks, Bird, Blaine, Boyle, Brandon, Brierley, Brown, Clark, Cole, Cottingham, Cowan, Crumly, Curran, Davidson of Sedgwick, Dennis, Edwards, Elstun, Enright, Finley, Fisher, Flanigan, Foley, Fraser, Gesner, Gordon, Grass, Guyer, Ham, Hart, Haskins, Helmick, Hendricks, Holden of Wichita, Holdren of Montgomery, Husey, Hutcheson, Ingalls, Johnson, Jones, Kiff, Kinnison, Kirtland, Lander, Leland, Lennen, Leydig, McGillivray, Martin, Miller, Milligan, Murphy, Neihart, O'Conner, Oshant, Padgett, Patterson, Pomeroy, Potts, Price, Reynard, Rhodes, Rich, Richmond, Rochester, Rockefeller, Ryan, Sherer, Sipple, Skinner, Sourbeer, Stockton, Sweeny, Swope, Tannahill, Thompson, Tredway, Wells, Westcott, Wheeler, White, Wilson, and Woodhouse.

Members absent or not voting were: Beeson, Berryman, Boggs, Chatten, Craddock, Creech, Cunningham, Davis, Davidson of Marion, Gants, Jeffries, Lehman, Mayhew, Mercer, Mitchell, Montee, Morgan of Hodgeman, Morgan of Reno, Myers, Peter, Plumb, Pohlman, Polley, Rall, Ransom, Richardson, Roush, Saunders, Schmidt, Shepard, Snyder, Stannard, Stone, Stubbs, Taylor, Umholtz, Warren, and Mr. Speaker Simmons.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 55, An act concerning assessment and taxation, and to amend section 12, article 3, of chapter 107, of the General Statutes of 1901, being section 7515 thereof, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 84, nays 0; absent or not voting, 38.

Members voting in favor of the passage of the bill were: Adams, Archer, Banks, Bird, Blaine, Boyle, Brandon, Brierley, Brown, Clark, Cole, Cottingham, Cowan, Crumly, Curran, Davidson of Sedgwick, Dennis, Edwards, Elstun, Enright, Finley, Fisher, Flanigan, Foley, Fraser, Gesner, Gordon, Grass, Guyer, Ham, Hart, Haskins, Helmick, Hendricks,

Holden of Wichita, Holdren of Montgomery, Husey, Hutcheson, Ingalls, Johnson, Jones, Kiff, Kinnison, Kirtland, Lander, Leland, Lennen, Leydig, McGillivray, Martin, Miller, Milligan, Murphy, Neihart, O'Conner, Oshant, Padgett, Patterson, Pomeroy, Potts, Price, Reynard, Rhodes, Rich, Richmond, Rochester, Rockefeller, Ryan, Sherer, Sipple, Skinner, Sourbeer, Stockton, Sweeny, Swope, Tannahill, Thompson, Tredway, Wells, Westcott, Wheeler, White, Wilson, and Woodhouse.

Members absent or not voting were: Beeson, Berryman, Boggs, Chatten, Craddock, Creech, Cunningham, Davis, Davison of Marion, Gants, Jeffries, Lehman, Mayhew, Mercer, Mitchell, Montee, Morgan of Hodgeman, Morgan of Reno, Myers, Peter, Plumb, Pohlman, Polley, Rall, Ransom, Richardson, Roush, Saunders, Schmidt, Shepard, Snyder, Stannard, Stone, Stubbs, Taylor, Umholtz, Warren, and Mr. Speaker Simmons.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 10, An act concerning assessment and taxation, and to limit the levy of taxes in the several taxing districts of the state of Kansas, and to limit the creation of municipal indebtedness in the state, and to punish officers for the violation of this act, and to repeal all acts and parts of acts in conflict herewith, was read the third time.

Mr. Archer moved to amend the title by striking out after the word "act" the words "and to repeal all acts and parts of acts in conflict herewith."

The question being, Shall the bill pass as amended? the roll was called, with the following result: Yeas 85, nays 0; absent or not voting, 37.

Members voting in favor of the passage of the bill were: Adams, Archer, Bird, Blaine, Boyle, Brandon, Brierley, Brown, Clark, Cole, Cowan, Craddock, Cunningham, Curran, Davidson of Sedgwick, Dennis, Elstun, Enright, Finley, Fisher, Flanigan, Foley, Fraser, Gordon, Grass, Ham, Hart, Haskins, Helmick, Hendricks, Holden of Wichita, Holdren of Montgomery, Husey, Hutcheson, Ingalls, Jeffries, Johnson, Jones, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Mayhew, Miller, Milligan, Montee, O'Conner, Oshant, Padgett, Patterson, Polley, Pomeroy, Potts, Price, Reynard, Rich, Rochester, Rockefeller, Roush, Ryan, Saunders, Sherer, Sipple, Skinner, Sourbeer, Stockton, Stone, Sweeny, Swope, Tannahill, Thompson, Tredway, Umholtz, Warren, Wells, Westcott, Wheeler, White, Wilson, and Woodhouse.

Members absent or not voting were: Banks, Beeson, Berryman, Boggs, Chatten, Cottingham, Creech, Crumly, Davis, Davison of Marion, Edwards, Gants, Gesner, Guyer, Martin,

Mercer, Mitchell, Morgan of Hodgeman, Morgan of Reno, Murphy, Myers, Neihart, Peter, Plumb, Pohlman, Rall, Ransom, Rhodes, Richardson, Richmond, Schmidt, Shepard, Snyder, Stannard, Stubbs, Taylor, and Mr. Speaker Simmons.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title as amended was agreed to.

House bill No. 17, An act to amend section 19 of chapter 408 of the Session Laws of 1907, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 85, nays 0; absent or not voting, 37.

Members voting in favor of the passage of the bill were: Messrs. Adams, Archer, Bird, Blaine, Boyle, Brandon, Brierley, Brown, Clark, Cole, Cowan, Craddock, Creech, Cunningham, Curran, Davidson of Sedgwick, Dennis, Elstun, Enright, Finley, Fisher, Flanigan, Foley, Fraser, Gordon, Grass, Ham, Hart, Haskins, Helmick, Hendricks, Holdren of Montgomery, Husey, Hutcheson, Ingalls, Jeffries, Johnson, Jones, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Mayhew, Miller, Milligan, Montee, O'Conner, Oshant, Padgett, Patterson, Polley, Pomeroy, Potts, Price, Reynard, Rich, Rochester, Rockefeller, Roush, Ryan, Saunders, Sherer, Sipple, Skinner, Sourbeer, Stockton, Stone, Sweeny, Swope, Tannahill, Thompson, Tredway, Umholtz, Warren, Wells, Westcott, Wheeler, White, Wilson, and Woodhouse.

Members absent or not voting were: Messrs. Banks, Beeson, Berryman, Boggs, Chatten, Cottingham, Creech, Crumly, Davis, Davison of Marion, Edwards, Gants, Gesner, Guyer, Martin, Mercer, Mitchell, Morgan of Hodgeman, Morgan of Reno, Murphy, Myers, Neihart, Peter, Plumb, Pohlman, Rall, Ransom, Rhodes, Richardson, Richmond, Schmidt, Shepard, Snyder, Stannard, Stubbs, Taylor, and Mr. Speaker Simmons.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 63, An act to encourage the erection of mills and factories and the manufacture of sugar and syrup out of sorghum cane and sugar-beets, and authorizing townships and cities of the second and third class to subscribe for stock in sugar factories and to vote bonds therefor, and to amend section 1 of chapter 106a, General Statutes of 1901, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 79, nays 10; absent or not voting, 33.

Members voting in favor of the passage of the bill were: Messrs. Archer, Banks, Bird, Blaine, Boggs, Boyle, Brandon, Brierley, Clark, Cole, Cottingham, Cowan, Cunningham, Curran, Davidson of Sedgwick, Dennis, Edwards, Elstun, Enright, Finley, Foley, Fraser, Gesner, Gordon, Grass, Guyer, Ham,

Hart, Haskins, Helmick, Hendricks, Holdren of Montgomery, Husey, Hutcheson, Ingalls, Jeffries, Johnson, Jones, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, Mayhew, Miller, Milligan, Montee, Morgan of Reno, O'Conner, Oshant, Padgett, Patterson, Polley, Potts, Reynard, Rhodes, Rochester, Ryan, Saunders, Sherer, Skinner, Snyder, Sourbeer, Stannard, Stockton, Sweeny, Swope, Tannahill, Thompson, Tredway, Umholtz, Wells, Westcott, Wheeler, Wilson, and Woodhouse.

Members voting in the negative were: Messrs. Adams, Brown, Davis, Flanigan, Gants, Lennen, Pohlman, Rich, Rockefeller, and Stone.

Members absent or not voting were: Messrs. Beeson, Berryman, Chatten, Craddock, Creech, Crumly, Davison of Marion, Fisher, Holden of Wichita, McGillivray, Martin, Mercer, Morgan of Hodgeman, Murphy, Myers, Neihart, Peter, Plumb, Pomeroy, Price, Rall, Ransom, Richardson, Richmond, Roush, Schmidt, Shepard, Sipple, Stubbs, Taylor, Warren, White, and Mr. Speaker Simmons.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 51, An act prohibiting the manufacture, sale, keeping or offering for sale certain adulterated foods, and supplemental to chapter 266 of the Session Laws of 1907, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 84, nays 2; absent or not voting, 36.

Members voting in favor of the passage of the bill were: Adams, Archer, Banks, Bird, Boggs, Boyle, Brandon, Brierley, Brown, Clark, Cole, Cottingham, Cowan, Curran, Davidson of Sedgwick, Davison of Marion, Dennis, Edwards, Elstun, Enright, Fisher, Flanigan, Foley, Fraser, Gesner, Grass, Guyer, Ham, Hart, Haskins, Helmick, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Ingalls, Jeffries, Johnson, Jones, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, McGillivray, Mayhew, Miller, Milligan, Murphy, O'Conner, Oshant, Padgett, Patterson, Pohlman, Polley, Potts, Reynard, Rhodes, Rich, Richmond, Rockefeller, Roush, Ryan, Schmidt, Sherer, Sipple, Skinner, Snyder, Sourbeer, Stannard, Stockton, Stone, Swope, Tannahill, Tredway, Umholtz, Warren, Wells, Westcott, Wheeler, Wilson, and Woodhouse.

Members voting in the negative were: Cunningham and Pomeroy.

Members absent or not voting were: Beeson, Berryman, Blaine, Chatten, Craddock, Creech, Crumly, Davis, Finley, Gants, Gordon, Husey, Leydig, Martin, Mercer, Mitchell, Montee, Morgan of Hodgeman, Morgan of Reno, Myers, Neihart, Peter, Plumb, Price, Rall, Ransom, Richardson, Rochester, Saunders, Shepard, Stubbs, Sweeny, Taylor, Thompson, White, and Mr. Speaker Simmons.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 42, An act to amend sections 4, 8, 9 and 10 of chapter 382 of the Session Laws of 1907, and to repeal said original sections 4, 8, 9 and 10 of said chapter 382 of the Laws of 1907, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 81, nays 1; absent or not voting, 40.

Members voting in favor of the passage of the bill were: Adams, Archer, Banks, Beeson, Bird, Blaine, Boggs, Brierley, Brown, Clark, Cottingham, Cowan, Craddock, Cunningham, Curran, Davidson of Sedgwick, Davison of Marion, Edwards, Elstun, Enright, Fisher, Flanigan, Foley, Fraser, Gesner, Gordon, Grass, Guyer, Ham, Hart, Haskins, Helmick, Hendricks, Holden of Wichita, Holdren of Montgomery, Johnson, Jones, Kiff, Kirtland, Lander, Lehman, Leland, Lennen, McGillivray, Mayhew, Mitchell, Montee, Morgan of Hodgeman, Murphy, Myers, Neihart, O'Conner, Padgett, Patterson, Peter, Polley, Potts, Rhodes, Rich, Richmond, Rockefeller, Roush, Ryan, Saunders, Schmidt, Sherer, Sipple, Skinner, Stannard, Stockton, Stone, Swope, Tannahill, Thompson, Tredway, Umholtz, Wells, Westcott, White, Wilson, and Woodhouse.

Mr. Pomeroy voted in the negative.

Members absent or not voting were: Berryman, Boyle, Brandon, Chatten, Cole, Creech, Crumly, Davis, Dennis, Finley, Gants, Haskins, Husey, Hutcheson, Ingalls, Jeffries, Kinison, Leydig, Martin, Mercer, Miller, Milligan, Morgan of Hodgeman, Oshant, Plumb, Pohlman, Price, Rall, Ransom, Reynard, Richardson, Rochester, Shepard, Snyder, Sourbeer, Stubbs, Sweeny, Taylor, Warren, Wheeler, and Mr. Speaker Simmons.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 100, An act amending section 4 and section 10 of chapter 397 of the Session Laws of Kansas of 1905, and repealing said original sections 4 and 10, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 81, nays 1; absent or not voting, 40.

Members voting in favor of the passage of the bill were: Adams, Archer, Banks, Beeson, Bird, Blaine, Boggs, Brierley, Brown, Clark, Cottingham, Cowan, Craddock, Cunningham, Curran, Davidson of Sedgwick, Davison of Marion, Edwards, Elstun, Enright, Fisher, Flanigan, Foley, Fraser, Gesner, Gordon, Grass, Guyer, Ham, Hart, Haskins, Helmick, Hendricks, Holden of Wichita, Holdren of Montgomery, Johnson, Jones, Kiff, Kirtland, Lander, Lehman, Leland, Lennen, McGillivray, Mayhew, Mitchell, Montee, Morgan of Reno, Murphy, Myers, Neihart, O'Conner, Padgett, Patterson, Peter, Polley, Potts,

Rhodes, Rich, Richmond, Rockefeller, Roush, Ryan, Saunders, Schmidt, Sherer, Sipple, Skinner, Stannard, Stockton, Stone, Swope, Tannahill, Thompson, Tredway, Umholtz, Wells, Westcott, White, Wilson, and Woodhouse.

Mr. Pomeroy voted in the negative.

Members absent or not voting were: Berryman, Boyle, Brandon, Chatten, Cole, Creech, Crumly, Davis, Dennis, Finley, Gants, Haskins, Husey, Hutcheson, Ingalls, Jeffries, Kinnison, Leydig, Martin, Mercer, Miller, Milligan, Morgan of Hodgeman, Oshant, Plumb, Pohlman, Price, Rall, Ransom, Reynard, Richardson, Rochester, Shepard, Snyder, Sourbeer, Stubbs, Sweeny, Taylor, Warren, Wheeler, and Mr. Speaker Simmons.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 103, An act relating to private corporations, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 84, nays 0; absent or not voting, 38.

Members voting in favor of the passage of the bill were: Messrs. Adams, Archer, Banks, Beeson, Bird, Blaine, Boggs, Boyle, Brandon, Brown, Cole, Cottingham, Cowan, Craddock, Cunningham, Curran, Davidson of Sedgwick, Davison of Marion, Dennis, Edwards, Elstun, Finley, Fisher, Flanigan, Foley, Fraser, Gants, Grass, Guyer, Ham, Hart, Haskins, Helmick, Hendricks, Holden of Wichita, Ingalls, Jeffries, Johnson, Jones, Kiff, Kinnison, Kirtland, Lennen, Leydig, McGillivray, Mayhew, Mercer, Milligan, Mitchell, Montee, Murphy, O'Conner, Oshant, Padgett, Peter, Plumb, Polley, Pomeroy, Potts, Price, Reynard, Rhodes, Rich, Rockefeller, Roush, Ryan, Saunders, Sherer, Sipple, Skinner, Snyder, Sourbeer, Stannard, Stockton, Stone, Swope, Tannahill, Warren, Wells, Westcott, Wheeler, White, Wilson, and Woodhouse.

Members absent or not voting were: Messrs. Berryman, Brierley, Chatten, Clark, Creech, Crumly, Davis, Enright, Gesner, Gordon, Holdren of Montgomery, Husey, Hutcheson, Lander, Lehman, Leland, Martin, Miller, Morgan of Hodgeman, Morgan of Reno, Myers, Neihart, Patterson, Pohlman, Rall, Ransom, Richardson, Richmond, Rochester, Schmidt, Shepard, Stubbs, Sweeny, Taylor, Thompson, Tredway, Umholtz, and Mr. Speaker Simmons.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 72, An act to amend section 6467 of the Compiled Laws of 1901, relating to the establishment of agencies at the county seat in each county in the state, and in cities of the first and second class, for the handling, sale and exchange of school-books provided for in said section 6467, was read the third time.

Mr. Holdren moved to amend the title by striking out the word "and" after the word "first," and insert after the word "second" the words "and third," which motion prevailed.

The question being, Shall the bill pass as amended? the roll was called, with the following result: Yeas 81, nays 1; absent or not voting, 40.

Members voting in favor of the passage of the bill were: Messrs. Adams, Archer, Banks, Beeson, Bird, Blaine, Boggs, Brierley, Brown, Clark, Cottingham, Cowan, Craddock, Cunningham, Curran, Davidson of Sedgwick, Davison of Marion, Edwards, Elstun, Enright, Fisher, Flanigan, Foley, Fraser, Gesner, Gordon, Grass, Guyer, Ham, Hart, Haskins, Helmick, Hendricks, Holden of Wichita, Holdren of Montgomery, Johnson, Jones, Kiff, Kirtland, Lander, Lehman, Leland, Lennen, McGillivray, Mayhew, Mitchell, Montee, Morgan of Reno, Murphy, Myers, Neihart, O'Conner, Padgett, Patterson, Peter, Polley, Potts, Rhodes, Rich, Richmond, Rockefeller, Roush, Ryan, Saunders, Schmidt, Sherer, Sipple, Skinner, Stannard, Stockton, Stone, Swope, Tannahill, Thompson, Tredway, Umholtz, Wells, Westcott, White, Wilson, and Woodhouse.

Mr. Pomeroy voted in the negative.

Members absent or not voting were: Messrs. Berryman, Boyle, Brandon, Chatten, Cole, Creech, Crumly, Davis, Dennis, Finley, Gants, Husey, Hutcheson, Ingalls, Jeffries, Kinnison, Leydig, Martin, Mercer, Miller, Milligan, Morgan of Hodgeman, Oshant, Plumb, Pohlman, Price, Rall, Ransom, Reynard, Richardson, Rochester, Shepard, Snyder, Sourteer, Stubbs, Sweeny, Taylor, Warren, Wheeler, and Mr. Speaker Simmons.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title as amended was agreed to.

Mr. Helmick moved that an emergency be declared, the rules suspended, and that Senate bill No. 94, An act authorizing the disposition of certain funds in Morton county, Kansas, and Senate bill No. 97, An act authorizing Stevens and Morton counties to drill for artesian wells, be read the second time, which motion prevailed.

Senate bill No. 94, An act authorizing the disposition of certain funds in Morton county, Kansas, and Senate bill No. 97, An act authorizing Stevens and Morton counties to drill for artesian wells, were thereupon read the second time.

Mr. Archer moved to reconsider the motion for the special order of Senate bill No. 5 at five o'clock, which motion prevailed.

Mr. Stone moved that the special order for five o'clock be declared off, which motion prevailed.

Mr. Stone moved to non-concur in Senate amendments to House bill No. 18, and ask for a conference committee, which motion prevailed.

Mr. Helmick moved that an emergency be declared, the rules suspended, and that Senate bills Nos. 94 and 97 be substituted for House bills Nos. 125 and 127, and that House bills Nos. 125 and 127 be stricken from the Calendar, which motion prevailed.

Mr. Ingalls moved that an emergency be declared, the rules suspended, and that Senate bill No. 58 be substituted for House bill No. 96 and that House bill No. 96 be stricken from the Calendar, which motion prevailed.

Mr. White moved that an emergency be declared, the rules suspended, and that Senate bill No. 68 be substituted for House bill No. 95 and that House bill No. 95 be stricken from the Calendar, which motion prevailed.

Mr. Ryan moved that the House do now adjourn to nine o'clock to-morrow morning, which motion prevailed.

EIGHTH DAY.

MORNING SESSION.

HALL OF THE HOUSE OF REPRESENTATIVES,
January 24, 1908—9 A. M.

The House convened with Speaker Simmons in the chair.

The roll was called and 118 gentlemen were present and answered to their names.

Gentlemen absent were: Messrs. Creech, O'Conner, Rall, and Ransom.

Gentlemen absent by leave were: Messrs. Creech, Rall, and Ransom.

Quorum present.

Prayer by the chaplain.

READING AND CORRECTION OF THE JOURNAL.

Mr. Padgett moved that the rules be suspended, and that the further reading of the Journal be dispensed with, and that the same be referred to the Committee on the Supervision of the Journal, which motion prevailed.

PRESENTATION OF PETITIONS.

Mr. Holdren presented House petition No. 5, Relating to the guaranty deposit law, signed by 114 persons.

The same was read and referred to the Committee on Banks and Banking.

INTRODUCTION OF BILLS.

The following bills were introduced and read the first time:
By Committee on Assessment and Taxation: House bill No. 132, An act authorizing the county commissioners of Montgomery county to levy an additional tax for the purposes of defraying county expenses in said county.

Also, House bill No. 133, An act authorizing and empowering the board of education of the city of Frontenac, Kan., to levy a tax for the support of the schools of said city, not exceeding thirty mills on the dollar for any one year.

Mr. Banks moved that an emergency be declared, the rules suspended, and that House bills Nos. 132 and 133 be placed on second reading at this time, which motion prevailed.

House bill No. 132, An act authorizing the county commissioners of Montgomery county to levy an additional tax for the purposes of defraying county expenses in said county, was read the second time and referred to the committee of the whole.

House bill No. 133, An act authorizing and empowering the board of education of the city of Frontenac, Kan., to levy a

tax for the support of schools of said city not exceeding thirty mills on the dollar for any one year, was read the second time and referred to the committee of the whole.

SECOND READING AND REFERENCE OF SENATE BILLS.

The following bills were read the second time and referred to committees indicated:

Judiciary Local:

Senate bill No. 53, An act in relation to sidewalks in the city of Leon, Kan.

Senate bill No. 50, An act to authorize and enable district No. 19, situated in Washington county, Kansas, to levy and collect an additional tax to pay certain indebtedness now owing by said district.

Senate bill No. 100, An act relating to the terms of court in the thirty-third judicial district.

Senate bill No. 62, An act to amend sections 1, 2 and 3 of chapter 151 of the Session Laws of Kansas, 1907, granting the board of county commissioners of Harvey county, Kansas, the right to sell the present county jail building and to dispose of the proceeds of sale, erect a new county jail building and sheriff's residence combined, to levy an annual tax on all the taxable property in the county in payment therefor, and the repeal of original sections 1, 2 and 3 of chapter 151 of the Session Laws of Kansas, 1907.

Senate bill No. 116, An act authorizing board of education of the city of Pratt, Pratt county, Kansas, to levy tax for the support of the schools of the city.

Cities of the Second Class:

Senate bill No. 115, An act to amend section No. 994 of the General Statutes of Kansas of 1901, relating to the powers of city councils in cities of the second class.

Elections:

Senate bill No. 105, An act relating to primary.

Mr. Brandon moved that an emergency be declared, the rules suspended, and that Senate bill No. 53 be substituted for House bill No. 84 and that House bill No. 84 be stricken from the Calendar, which motion prevailed.

Mr. Shepard moved that an emergency be declared, the rules suspended, and that Senate bill No. 50 be substituted for House bill No. 107 and that House bill No. 107 be stricken from the Calendar, which motion prevailed.

Mr. Kiff moved that an emergency be declared, the rules suspended, and that Senate bill No. 58, now on the Calendar under the head of "General Orders," be placed on third reading, subject to amendment and debate, which motion prevailed.

Mr. Guyer moved that an emergency be declared, the rules suspended, and that House bill No. 74 be placed on third read-

ing, subject to amendment and debate, which motion prevailed.

Mr. Haskins moved that an emergency be declared, the rules suspended, and that Senate bills Nos. 94 and 97 be placed on third reading, subject to amendment and debate, which motion prevailed.

Mr. Flanigan moved that an emergency be declared, the rules suspended, and that House bill No. 105 be placed on third reading, subject to amendment and debate, which motion prevailed.

Mr. Warren moved that an emergency be declared, the rules suspended, and that Senate bill No. 59 be placed on third reading, subject to amendment and debate, which motion prevailed.

Mr. Wheeler moved that an emergency be declared, the rules suspended, and that House bill No. 49 be placed on third reading, subject to amendment and debate, which motion prevailed.

Mr. Leydig moved that an emergency be declared, the rules suspended, and that Senate bill No. 53 and House bill No. 48 be placed on third reading, subject to amendment and debate, which motion prevailed.

Mr. Mitchell moved that the rules be suspended, and that a committee of three be appointed by the speaker to revise the Calendar in reference to all local bills, and that the same be placed on third reading, subject to amendment and debate, which motion prevailed.

Mr. Oshant moved that an emergency be declared, the rules suspended, and that House bill No. 67 be placed on third reading, subject to amendment and debate, which motion prevailed.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY.

Mr. Brierley moved the adoption of House concurrent resolution No. 5, Relating to adjourning Saturday at three P. M.

Mr. Padgett moved as a substitute for the above motion, that the resolution be laid on the table.

Roll-call being demanded, the chair asked for a sufficient number of hands; a sufficient number being shown, the chair ordered a roll-call.

The question being, Shall the motion of Mr. Padgett to lay on the table prevail? the roll was called, with the following result: Yeas 63, nays 42; absent or not voting, 17.

Members voting in favor of the motion to lay on the table were: Messrs. Adams, Banks, Beeson, Blaine, Boggs, Brandon, Chatten, Clark, Cole, Cottingham, Craddock, Cunningham, Davidson of Sedgwick, Davison of Marion, Dennis, Edwards, Elstun, Enright, Finley, Fisher, Flanigan, Foley, Fraser, Guyer, Ham, Haskins, Holden of Wichita, Husey, Hutcheson, Jeffries, Kiff, Kirtland, Lander, Lehman, Leydig, Mercer, Miller, Mitchell, Morgan of Hodgeman, Morgan of Reno, Murphy, Padgett, Peter, Plumb, Reynard, Rich, Roush, Schmidt, Shepard, Skinner, Sourbeer, Stannard, Stockton,

Stone, Sweeny, Taylor, Thompson, Tredway, Umholtz, Warren, Westcott, White, and Woodhouse.

Members voting in the negative were: Messrs. Archer, Berryman, Bird, Boyle, Brierley, Cowan, Curran, Davis, Gants, Gesner, Grass, Hart, Hendricks, Holdren of Montgomery, Ingalls, Johnson, Jones, Kinnison, Lennen, McGillivray, Martin, Milligan, Montee, Myers, Neihart, Oshant, Patterson, Pohlman, Polley, Pomeroy, Potts, Price, Rhodes, Rockefeller, Ryan, Saunders, Sherer, Sipple, Snyder, Swope, Tannahill, and Wilson.

Members absent or not voting were: Messrs. Brown, Creech, Crumly, Gordon, Helmick, Leland, Mayhew, O'Conner, Rall, Ransom, Richardson, Richmond, Rochester, Wells, Wheeler, Woodhouse, and Mr. Speaker Simmons.

A majority having voted in favor of the motion to lay on the table, the motion prevailed.

COMMITTEE OF THE WHOLE.

Mr. Saunders moved that the House go into committee of the whole for the consideration of bills on the Calendar under the head of "Special Orders." A vote being had, the motion prevailed.

The House went into committee of the whole, with Mr. Mitchell in the chair.

After some time spent therein the committee rose, and through the chairman submitted the following report:

MR. SPEAKER: The committee of the whole House have had under consideration bills on the Calendar under the head of "Special Orders," and I am directed to report as follows:

Recommend that further consideration of House bill No. 111, An act relating to banks and banking, be deferred at this time and have read one of the bills relating to the guaranty deposit laws.

A. C. MITCHELL, *Chairman.*

Mr. Mitchell moved that the report of the committee of the whole be adopted, which motion prevailed.

Mr. Enright moved that an emergency be declared, the rules suspended, and that all bills referring to the guaranty deposit law be made a special order for two o'clock this afternoon, and that the author of each bill be allowed ten minutes to speak on the merits of his bill, which motion prevailed.

Mr. Stubbs asked unanimous consent to have the following communication read, which consent was granted:

To the Honorable House of Representatives of the State of Kansas:

The undersigned is under many obligations to your honored body for what they have already done to vindicate the dignity and magnanimity of the great state of Kansas in recognizing and indorsing his undertaking, to emphasize an expression of his acknowledgment of gratitude, for the patriotic and conscientious discharge of duty of Edmund G. Ross, while he was a senator of the United States from the state of Kansas, acting as member of the high court of impeachment to impeach the president of the United States. He is encouraged to hope that your honorable bodies will continue to vindicate the magnanimity and sense

of justice of this our great commonwealth by passing a primary bill of law, as recommended by our distinguished chief executive, inviting every one of mature age and sound mind not convicted of felony to participate in the nomination of all elective officers.

Our great Magna Charta and free constitution guarantees to everyone, without distinction of sex, the right of consent, in which resides all the just powers of government, and it seems that justice has been too long delayed to the noble women of the state of Kansas.

That your honorable bodies should pass this primary law is the unceasing prayer of the undersigned.

HUGH CAMERON.

Mr. Archer asked unanimous consent to offer House concurrent resolution No. 6, Relating to the time of the final adjournment, as follows:

Resolved by the House of Representatives, the Senate concurring therein, That the House cease the consideration of all original House bills at the hour of three o'clock P. M., Wednesday, January 29, and that the Senate at the same day and hour cease the consideration of all original Senate bills, and that final adjournment be Saturday, February 1, at twelve o'clock noon.

Mr. Kirtland moved to take a recess until two o'clock P. M., which motion prevailed.

AFTERNOON SESSION.

The House reconvened at two o'clock, with Mr. Speaker Simmons in the chair.

Mr. Speaker Simmons announced as conferees on the part of the House on House bill No. 18 Messrs. Haskins, Ryan, and Morgan of Hodgeman.

Mr. Speaker Simmons also announced the following on the committee to revise the Calendar on local bills: Messrs. Cowan, Enright, and Foley.

INTRODUCTION OF BILLS.

Mr. Brandon, chairman of the Committee on Banks and Banking, asked unanimous consent to introduce House bill No. 134, which was granted.

House bill No. 134, An act defining what shall constitute criminal slander and prescribing punishment therefor in relation to banks and banking, was thereupon read the first time.

Mr. Brandon moved that an emergency be declared, the rules suspended, and that the above bill be read the second time, which motion prevailed.

House bill No. 134, An act defining what shall constitute criminal slander and prescribing punishment therefor in relation to banks and banking, was thereupon read the second time and referred to the committee of the whole.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
TOPEKA, January 24, 1908.

To the House of Representatives: I have this day received and approved the following House bills:

No. 3, An act authorizing the board of county commissioners of Shawnee county, Kansas, to sell the fair-grounds belonging to Shawnee county and purchase other land with the proceeds of such sale, or to purchase other land to enlarge the present fair-grounds and levy a tax for the purpose of purchasing additional lands, if found necessary, and the erecting of permanent buildings and improvements on such fair-grounds, and repealing chapter 161 of the Laws of 1907.

No. 11, An act to amend section 1 of chapter 75 of the Session Laws of 1907, the same being entitled "An act to authorize and empower the board of county commissioners of Cowley county, Kansas, to build a bridge across the Arkansas river, in Cowley county, Kansas," and to repeal said original section 1.

No. 22, An act to legalize the issue of certain bonds by the city of Winfield.

No. 23, An act to amend section 1 of chapter 164 of the Laws of Kansas, 1905, entitled "An act authorizing the board of county commissioners of Cowley county, Kansas, to dispose of the old jail and court-house now standing on the public square owned by that county in the city of Winfield, and to erect a new sheriff's residence and county jail and a new county building for a court-house and county offices on said public square, and to equip and furnish said sheriff's residence, jail, court-house and offices, and levy taxes to pay the expenses of erecting, equipping and furnishing the same."

No. 24, An act to amend section 2 of chapter 74 of the Session Laws of 1907, the same being an act entitled "An act authorizing and empowering the board of county commissioners of Cowley county, Kansas, to erect and maintain a certain bridge in said county and to levy a special tax for the erection thereof," and to repeal said original section 2.

No. 25, An act to amend section 2 of chapter 76 of the Session Laws of 1907, the same being an act entitled "An act authorizing the board of county commissioners of Cowley county, Kansas, to erect and maintain a certain bridge in said county and to levy a special tax for the erection thereof," and to repeal said original section 2 of chapter 76 of the Session Laws of 1907.

No. 35, An act relating to terms of court in the thirty-second judicial district, and repealing all acts and parts of acts in conflict herewith.

No. 36, An act to authorize the board of county commissioners of Osage county to erect a bridge across the Marais des Cygnes river.

No. 37, An act authorizing the city of Oberlin, Kan., to refund twenty-five thousand dollars of bonds issued by it on the 1st day of September, A. D. 1888.

No. 39, An act relating to certain corporate acts of the First State Bank of Larned, Kan.

No. 40, An act authorizing Mitchell township, in Rice county, Kansas, to take and appropriate a sum, not to exceed the sum of \$1000, out of the general fund of said township, and to use the same in the erection and furnishing of a township hall.

No. 41, An act to authorize the city of Winfield, in Cowley county, Kansas, to issue its bonds for the purpose of paying for the operation, improvement and extension of its water-works plant.

No. 49, An act fixing the metes and bounds of the city of Oakley, Logan county, Kansas.

No. 108, An act regulating the salary of the clerk of the district court of Harper county, state of Kansas.

No. 122, An act to authorize the township board of Sherman township, Sedgewick county, Kansas, to issue bonds for the purpose of erecting a public building and to purchase a site therefor.

E. W. HOCH, Governor.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed by the Senate to inform the House that the Senate has acceded to the request of the House for a conference committee on House bill No. 18, and has appointed as conferees on the part of the Senate Senators Fitzpatrick and Smith.

Also, that the Senate has passed Senate bill No. 24, An act prohibiting the manufacture, sale, keeping or offering for sale of certain adulterated food, and supplemental to chapter 266 of the Session Laws of 1907.

Also, Senate bill No. 39, An act to amend section 1264 of the General Statutes of 1901, relating to corporations, and repealing said section 1264.

Also, House bill No. 56, An act to amend sections 3, 4 and 10 of chapter 502 of the Session Laws of 1905, and to provide for the assessment and valuation for the purposes of taxation of telegraph and telephone companies, oil pipe-line companies and gas pipe-line companies which are local in their character and confined to the limits of a single county.

Also, House bill No. 54, An act concerning assessment and taxation, and to amend section 17 of chapter 408 of the Session Laws of 1907, and to repeal sections 7611 and 7702 of the General Statutes of 1901.

Also, House bill No. 100, An act amending section 4 and section 10 of chapter 397 of the Session Laws of Kansas of 1905, and repealing said original sections 4 and 10.

The bills are herewith transmitted. W. S. KRETSINGER, *Secretary*.

The above Senate bills were thereupon read the first time.

COMMITTEE OF THE WHOLE.

Mr. Kirtland moved that the House go into committee of the whole for the consideration of bills on the Calendar under the head of "General Orders." A vote being had, the motion prevailed.

The House went into committee of the whole, with Mr. Mitchell in the chair.

After some time spent therein the committee rose, and through the chairman submitted the following report:

MR. SPEAKER: The committee of the whole House have had under consideration bills on the Calendar under the head of "General Orders," and I am directed to report as follows:

Recommend that the speaker appoint a committee of nine members, and that this committee consider and prepare a new bill embodying the best features of all of the bills on guaranty deposit law, and report the same Monday at ten A. M.

That action on House bill No. 111 be deferred until a later time, after the guaranty deposit law is considered, and retain its place on the Calendar. A. C. MITCHELL, *Chairman*.

Mr. Mitchell moved the adoption of the report of the committee of the whole.

Mr. Morgan called for a division of the question on the adoption of the report of the committee of the whole.

Mr. Speaker Simmons thereupon divided the motion of Mr. Mitchell to adopt the report of the committee of the whole.

Mr. Speaker Simmons thereupon put the motion to adopt that part of the report of the committee of the whole pertaining to the appointment of a committee of nine members to draft a new bill embodying the best features of all the bills relating to all guaranty deposits and report the same Monday at ten A. M., which motion prevailed.

Mr. Speaker Simmons thereupon put the motion to adopt that part of the report of the committee of the whole pertaining to action on House bill No. 111, which motion did not prevail.

Mr. Morgan, chairman of the Committee on Railroads, asked unanimous consent to introduce House bill No. 135, which consent was granted.

By Committee on Railroads: House bill No. 135, An act to regulate the maintenance of railway road-bed and tracks within the state of Kansas, and to insure the safety of railway travelers and employees.

Mr. Milligan, chairman of the Committee on Hygiene and Public Health, asked unanimous consent to introduce House bill No. 136, which consent was granted.

By Committee on Hygiene and Public Health: House bill No. 136, An act requiring places where drugs, foods and drinks are manufactured, prepared, stored, sold or offered for sale to be kept in a clean, wholesome and sanitary condition, defining the duties of inspectors and health officers and county attorneys, and providing penalties for the violation of this act.

The above bills were thereupon read the first time.

REPORT OF SELECT COMMITTEE.

Mr. Cowan, chairman of the committee appointed by the speaker to revise the Calendar on local bills, submitted the following report:

MR. SPEAKER: Your committee on local bills recommend the following local bills be placed on third reading, subject to amendment and debate:

House bill No. 43.	Senate bill No. 75.	House bill No. 109.
Senate bill No. 74.	Senate bill No. 91.	House bill No. 129.
Senate bill No. 15.	Senate bill No. 50.	House bill No. 15.
House bill No. 30.	House bill No. 82.	Senate bill No. 82.
House bill No. 44.	Senate bill No. 68.	House bill No. 61.
House bill No. 88.	House bill No. 64.	House bill No. 79.
House bill No. 89.	Senate bill No. 41.	Senate bill No. 78.
House bill No. 114.	Senate bill No. 60.	

HAL C. COWAN,
E. A. ENRIGHT,
C. F. FOLEY.

Mr. Cowan moved the adoption of the report, which motion prevailed.

Mr. Bird asked unanimous consent to offer House concurrent resolution No. 7, Relating to final adjournment, which consent was granted, and the resolution was read the first time.

Mr. Plumb asked unanimous consent to offer House concurrent resolution No. 8, Relating to the spot occupied by Pawnee Rock, which consent was granted, and the resolution was read the first time.

Mr. Kirtland called for the reading of House joint resolution No. 3, Relating to permanent committee rooms for certain committees, which was read the second time.

Mr. Kirtland moved that an emergency be declared, the rules suspended, and that House joint resolution No. 3 be placed on third reading, which motion prevailed.

House joint resolution No. 3, Relating to permanent committee rooms for certain committees, was read the third time, and the question being, Shall the joint resolution be adopted? the roll was called, with the following result: Yeas 35, nays 60; absent or not voting, 27.

Members voting in favor of the adoption of the resolution were: Messrs. Adams, Banks, Bird, Blaine, Boggs, Cole, Craddock, Cunningham, Curran, Elstun, Foley, Gesner, Gordon, Guyer, Haskins, Ingalls, Johnson, Kirtland, Lander, Lennen, McGillivray, Martin, Mercer, Montee, Morgan of Hodgeman, Padgett, Plumb, Ryan, Schmidt, Sourbeer, Stannard, Wheeler, White, Woodhouse, and Mr. Speaker Simmons.

Members voting in the negative were: Messrs. Beeson, Brandon, Brown, Chatten, Clark, Cottingham, Cowan, Crumly, Davidson of Sedgwick, Davison of Marion, Dennis, Edwards, Flanigan, Fraser, Grass, Ham, Hart, Helmick, Hendricks, Holden of Wichita, Holdren of Montgomery, Husey, Jeffries, Jones, Kiff, Kinnison, Lehman, Leland, Leydig, Mayhew, Miller, Mitchell, Morgan of Hodgeman, Myers, Neihart, Oshant, Pohlman, Polley, Pomeroy, Potts, Price, Reynard, Rhodes, Rich, Richmond, Rockefeller, Sherer, Sipple, Skinner, Snyder, Stubbs, Swope, Taylor, Thompson, Tredway, Umholtz, Warren, Wells, Westcott, and Wilson.

Members absent or not voting were: Messrs. Archer, Berryman, Boyle, Brierley, Creech, Davis, Enright, Finley, Fisher, Gants, Hutcheson, Milligan, Murphy, O'Conner, Patterson, Peter, Rall, Ransom, Richardson, Rochester, Roush, Saunders, Shepard, Stockton, Stone, Sweeny, and Tannahill.

A constitutional majority not having voted in favor of the adoption of the resolution, the resolution was lost.

Mr. Speaker Simmons appointed as members on the committee to draft a new bill embodying the best features of all the guaranty deposit bills the following gentlemen: Messrs. Grass, Edwards, White, Cunningham, Berryman, Ham, Stone, Wheeler, and Foley.

Mr. Morgan moved that the House adjourn to ten o'clock to-morrow morning, which motion prevailed.

NINTH DAY.

MORNING SESSION.

HALL OF THE HOUSE OF REPRESENTATIVES,
January 25, 1908—10 A. M.

The House convened, with the speaker in the chair.

The roll was called and 118 gentlemen were present and answered to their names.

Gentlemen absent were: Messrs. Creech, Neihart, O'Conner, and Rall.

Gentlemen absent by leave were: Messrs. Creech and Rall.

Quorum present.

Prayer by the chaplain.

READING AND CORRECTION OF THE JOURNAL.

Mr. Kirtland moved that the rules be suspended, and that the further reading of the Journal be dispensed with, and that the same be referred to the Committee on Supervision of the Journal, which motion prevailed.

INTRODUCTION OF BILLS.

The following bill was introduced and read the first time:

By Ways and Means Committee: House bill No. 137, An act authorizing the employment of an additional stenographer in the office of the attorney-general, and making appropriation therefor.

Mr. Leland moved that an emergency be declared, the rules suspended, and that House bill No. 137 be placed on second reading. Motion prevailed.

House bill No. 137, An act authorizing the employment of an additional stenographer in the office of the attorney-general, and making appropriation therefor, was thereupon read the second time and referred to the committee of the whole.

SECOND READING AND REFERENCE OF BILLS.

The following bills were read the second time and referred to committees indicated:

Hygiene and Public Health:

Senate bill No. 24, An act prohibiting the manufacture, sale, keeping or offering for sale of certain adulterated food, and supplemental to chapter 266 of the Session Laws of 1907.

Judiciary:

Senate bill No. 39, An act to amend section 1264 of the General Statutes of 1901, relating to corporations, and repealing said section 1264.

Committee of the Whole:

House bill No. 135, An act to regulate the maintenance of railway road-bed and tracks within the state of Kansas, and to insure the safety of railway travelers and employees.

House bill No. 136, An act requiring places where drugs, foods and drinks are manufactured, prepared, stored, sold, or offered for sale, to be kept in a clean, wholesome and sanitary condition, defining the duties of inspectors and health officers and county attorneys, and providing penalties for the violation of this act.

REPORT OF STANDING COMMITTEE.

Mr. Westcott, chairman of the Committee on Judiciary Local, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary Local, to whom was referred Senate bill No. 116, An act authorizing the board of education of the city of Pratt, Pratt county, Kansas, to levy a tax for the support of the schools of the city, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

Also, Senate bill No. 62, An act to amend sections 1, 2 and 3 of chapter 151 of the Session Laws of Kansas of 1907, granting the board of county commissioners of Harvey county, Kansas, the right to sell the present county jail building and to dispose of the proceeds of sale, erect a new county jail building and sheriff's residence combined, to levy an annual tax on all the taxable property in the county in payment therefor, and the repeal of original sections 1, 2 and 3 of chapter 151 of the Session Laws of Kansas of 1907, and recommend that it be not passed, for the reason that the House has already passed a bill covering the same ground.

Also, Senate bill No. 100, An act relating to the terms of court in the thirty-third judicial district, and recommend that it be passed.

S. C. WESTCOTT, *Chairman.*

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY.

House concurrent resolution No. 6, Relating to final adjournment, was read the second time.

Mr. Archer moved the adoption of House concurrent resolution No. 6.

Mr. Archer moved to amend House concurrent resolution No. 6 by inserting after words "Senate bill" the words "except conference committee reports on bills from either House," which motion prevailed.

Mr. Archer moved that House concurrent resolution No. 6 be adopted as amended, which motion prevailed.

Mr. Bird asked unanimous consent to withdraw House concurrent resolution No. 7, which consent was granted.

House concurrent resolution No. 8, Relating to Pawnee Rock, was read the second time.

Mr. Plumb moved the adoption of House concurrent resolution No. 8, which motion prevailed.

THIRD READING OF BILLS.

Mr. Kirtland moved that an emergency be declared, the rules suspended, and that House bills Nos. 132 and 133 be

taken from "General Orders" and placed under the head of "Third Reading of Local Bills," subject to amendment and debate, which motion prevailed.

Mr. Blaine moved that an emergency be declared, the rules suspended, and that House bill No. 116, which was favorably reported by the Committee on Judiciary Local, be placed on third reading, subject to amendment and debate, which motion prevailed.

Mr. Rochester moved that an emergency be declared, the rules suspended, and that Senate bill No. 100, which was favorably reported by the Committee on Judiciary Local, be placed on third reading, subject to amendment and debate, which motion prevailed.

House bill No. 105, An act amending section 4 of chapter 388 of the Session Laws of Kansas of 1907, and repealing said original section 4, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 73, nays 0; absent or not voting, 49.

Members voting in favor of the passage of the bill were: Messrs. Archer, Banks, Beeson, Bird, Blaine, Boggs, Brandon, Brierley, Brown, Chatten, Cole, Cottingham, Cowan, Craddock, Curran, Davis, Davison of Marion, Dennis, Elstun, Enright, Finley, Flanigan, Fraser, Gesner, Guyer, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Mitchell, Morgan of Reno, Murphy, Oshant, Patterson, Peter, Pomeroy, Price, Ransom, Reynard, Rich, Richardson, Rochester, Rockefeller, Sherer, Sipple, Skinner, Sourbeer, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Umholtz, Westcott, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Adams, Berryman, Boyle, Clark, Creech, Crumly, Cunningham, Davidson of Sedgwick, Edwards, Fisher, Foley, Gants, Gordon, Grass, Ham, Haskins, Helmick, Husey, Ingalls, Jones, Milligan, Montee, Morgan of Hodgeman, Myers, Neihart, O'Conner, Padgett, Plumb, Pohlman, Polley, Potts, Rall, Rhodes, Richmond, Roush, Ryan, Saunders, Schmidt, Shepard, Snyder, Stannard, Stockton, Stone, Tannahill, Warren, Wells, Wheeler, White, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 48, An act relating to excluding of certain real estate in the city of El Dorado, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 73, nays 0; absent or not voting, 49.

Members voting in favor of the passage of the bill were: Messrs. Archer, Banks, Beeson, Bird, Blaine, Boggs, Brandon,

Brierley, Brown, Chatten, Cole, Cottingham, Cowan, Craddock, Curran, Davis, Davison of Marion, Dennis, Elstun, Enright, Finley, Flanigan, Fraser, Gesner, Guyer, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Mitchell, Morgan of Reno, Murphy, Oshant, Patterson, Peter, Pomeroy, Price, Ransom, Reynard, Rich, Richardson, Rochester, Rockefeller, Sherer, Sipple, Skinner, Sourbeer, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Umholtz, Westcott, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Adams, Berryman, Boyle, Clark, Creech, Crumly, Cunningham, Davidson of Sedgwick, Edwards, Fisher, Foley, Gants, Gordon, Grass, Ham, Haskins, Helmick, Husey, Ingalls, Jones, Milligan, Montee, Morgan of Hodgeman, Myers, Neihart, O'Conner, Padgett, Plumb, Pohlman, Polley, Potts, Rall, Rhodes, Richmond, Roush, Ryan, Saunders, Schmidt, Shepard, Snyder, Stannard, Stockton, Stone, Tannahill, Warren, Wells, Wheeler, White, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 74, An act to repeal chapter 422 of the Session Laws of 1907, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 73, nays 0; absent or not voting, 49.

Members voting in favor of the passage of the bill were: Messrs. Archer, Banks, Beeson, Bird, Blaine, Boggs, Brandon, Brierley, Brown, Chatten, Cole, Cottingham, Cowan, Craddock, Curran, Davis, Davison of Marion, Dennis, Elstun, Enright, Finley, Flanigan, Fraser, Gesner, Guyer, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Mitchell, Morgan of Reno, Murphy, Oshant, Patterson, Peter, Pomeroy, Price, Ransom, Reynard, Rich, Richardson, Rochester, Rockefeller, Sherer, Sipple, Skinner, Sourbeer, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Umholtz, Westcott, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Adams, Berryman, Boyle, Clark, Creech, Crumly, Cunningham, Davidson of Sedgwick, Edwards, Fisher, Foley, Gants, Gordon, Grass, Ham, Haskins, Helmick, Husey, Ingalls, Jones, Milligan, Montee, Morgan of Hodgeman, Myers, Neihart, O'Conner, Padgett, Plumb, Pohlman, Polley, Potts, Rall, Rhodes, Richmond, Roush, Ryan, Saunders, Schmidt, Shepard, Snyder, Stannard, Stockton, Stone, Tannahill, Warren, Wells, Wheeler, White, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 9, An act to repeal section 6 of chapter 153 of the Session Laws of 1901, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 73, nays 0; absent or not voting, 49.

Members voting in favor of the passage of the bill were: Messrs. Archer, Banks, Beeson, Bird, Blaine, Boggs, Brandon, Brierley, Brown, Chatten, Cole, Cottingham, Cowan, Craddock, Curran, Davis, Davison of Marion, Dennis, Elstun, Enright, Finley, Flanigan, Fraser, Gesner, Guyer, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Mitchell, Morgan of Reno, Murphy, Oshant, Patterson, Peter, Pomeroy, Price, Ransom, Reynard, Rich, Richardson, Rochester, Rockefeller, Sherer, Sipple, Skinner, Sourbeer, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Umholtz, Westcott, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Adams, Berryman, Boyle, Clark, Creech, Crumly, Cunningham, Davidson of Sedgwick, Edwards, Fisher, Foley, Gants, Gordon, Grass, Ham, Haskins, Helmick, Husey, Ingalls, Jones, Milligan, Montee, Morgan of Hodgeman, Myers, Neihart, O'Conner, Padgett, Plumb, Pohlman, Polley, Potts, Rall, Rhodes, Richmond, Roush, Ryan, Saunders, Schmidt, Shepard, Snyder, Stannard, Stockton, Stone, Tannahill, Warren, Wells, Wheeler, White, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

Senate bill No. 58, An act authorizing and empowering the board of education of the city of Atchison to issue warrants for the payment for the construction of a high-school building in the city of Atchison, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 73, nays 0; absent or not voting, 49.

Members voting in favor of the passage of the bill were: Messrs. Archer, Banks, Beeson, Bird, Blaine, Boggs, Brandon, Brierley, Brown, Chatten, Cole, Cottingham, Cowan, Craddock, Curran, Davis, Davison of Marion, Dennis, Elstun, Enright, Finley, Flanigan, Fraser, Gesner, Guyer, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Mitchell, Morgan of Reno, Murphy, Oshant, Patterson, Peter, Pomeroy, Price, Ransom, Reynard, Rich, Richardson, Rochester, Rockefeller, Sherer, Sipple, Skinner, Sourbeer, Stubbs, Sweeny, Swope, Taylor, Thomp-

son, Tredway, Umholtz, Westcott, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Adams, Berryman, Boyle, Clark, Creech, Crumly, Cunningham, Davidson of Sedgwick, Edwards, Fisher, Foley, Gants, Gordon, Grass, Ham, Haskins, Helmick, Husey, Ingalls, Jones, Milligan, Montee, Morgan of Hodgeman, Myers, Neihart, O'Conner, Padgett, Plumb, Pohlman, Polley, Potts, Rall, Rhodes, Richmond, Roush, Ryan, Saunders, Schmidt, Shepard, Snyder, Stannard, Stockton, Stone, Tannahill, Warren, Wells, Wheeler, White, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

Senate bill No. 59, An act authorizing the board of county commissioners of Linn county, Kansas, to pay the claim of C. H. Brown against said county out of the bridge fund thereof, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 73, nays 0; absent or not voting, 49.

Members voting in favor of the passage of the bill were: Messrs. Archer, Banks, Beeson, Bird, Blaine, Boggs, Brandon, Brierley, Brown, Chatten, Cole, Cottingham, Cowan, Craddock, Curran, Davis, Davison of Marion, Dennis, Elstun, Enright, Finley, Flanigan, Fraser, Gesner, Guyer, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Mitchell, Morgan of Reno, Murphy, Oshant, Patterson, Peter, Pomeroy, Price, Ransom, Reynard, Rich, Richardson, Rochester, Rockefeller, Sherer, Sipple, Skinner, Sourbeer, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Umholtz, Westcott, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Adams, Berryman, Boyle, Clark, Creech, Crumly, Cunningham, Davidson of Sedgwick, Edwards, Fisher, Foley, Gants, Gordon, Grass, Ham, Haskins, Helmick, Husey, Ingalls, Jones, Milligan, Montee, Morgan of Hodgeman, Myers, Neihart, O'Conner, Padgett, Plumb, Pohlman, Polley, Potts, Rall, Rhodes, Richmond, Roush, Ryan, Saunders, Schmidt, Shepard, Snyder, Stannard, Stockton, Stone, Tannahill, Warren, Wells, Wheeler, White, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

Senate bill No. 97, An act authorizing Stevens and Morton counties to drill for artesian well, was read the third time.

Mr. McGillivray moved to amend the title by striking out the word "and" in line 1, and in line 2 insert, after the word "Morton," the words "Grant and Stanton." Also, in line 3 of

section 1, after the word "Kansas," insert "and the board of county commissioners of Grant county, Kansas, and the board of county commissioners of Stanton county, Kansas." In line 15, after the word "encumbered," add "and provided, that no funds shall be expended in Grant county until there shall have been donated to the county of Grant 160 acres of land in fee simple and unencumbered; and provided, that no funds shall be expended in Stanton county until there shall have been donated to the county of Stanton 160 acres of land in fee simple and unencumbered," which motion prevailed.

The question being, Shall the bill pass as amended? the roll was called, with the following result: Yeas 73, nays 0; absent or not voting, 49.

Members voting in favor of the passage of the bill were: Messrs. Archer, Banks, Beeson, Bird, Blaine, Boggs, Brandon, Brierley, Brown, Chatten, Cole, Cottingham, Cowan, Craddock, Curran, Davis, Davison of Marion, Dennis, Elstun, Enright, Finley, Flanigan, Fraser, Gesner, Guyer, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Mitchell, Morgan of Reno, Murphy, Oshant, Patterson, Peter, Pomeroy, Price, Ransom, Reynard, Rich, Richardson, Rochester, Rockefeller, Sherer, Sipple, Skinner, Sourbeer, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Umholtz, Westcott, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Adams, Berryman, Boyle, Clark, Creech, Crumly, Cunningham, Davidson of Sedgwick, Edwards, Fisher, Foley, Gants, Gordon, Grass, Ham, Haskins, Helmick, Husey, Ingalls, Jones, Milligan, Montee, Morgan of Hodgeman, Myers, Neihart, O'Conner, Padgett, Plumb, Pohlman, Polley, Potts, Rall, Rhodes, Richmond, Roush, Ryan, Saunders, Schmidt, Shepard, Snyder, Stannard, Stockton, Stone, Tannahill, Warren, Wells, Wheeler, White, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title, as amended, was agreed to.

Senate bill No. 94, An act authorizing the disposition of certain funds in Morton county, Kansas, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 73, nays 0; absent or not voting, 49.

Members voting in favor of the passage of the bill were: Messrs. Archer, Banks, Beeson, Bird, Blaine, Boggs, Brandon, Brierley, Brown, Chatten, Cole, Cottingham, Cowan, Craddock, Curran, Davis, Davison of Marion, Dennis, Elstun, Enright, Finley, Flanigan, Fraser, Gesner, Guyer, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery,

Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Mitchell, Morgan of Reno, Murphy, Oshant, Patterson, Peter, Pomeroy, Price, Ransom, Reynard, Rich, Richardson, Rochester, Rockefeller, Sherer, Sipple, Skinner, Sourbeer, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Umholtz, Westcott, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Adams, Berryman, Boyle, Clark, Creech, Crumly, Cunningham, Davidson of Sedgwick, Edwards, Fisher, Foley, Gants, Gordon, Grass, Ham, Haskins, Helmick, Husey, Ingalls, Jones, Milligan, Montee, Morgan of Hodgeman, Myers, Neihart, O'Conner, Padgett, Plumb, Pohlman, Polley, Potts, Rall, Rhodes, Richmond, Roush, Ryan, Saunders, Schmidt, Shepard, Snyder, Stannard, Stockton, Stone, Tannahill, Warren, Wells, Wheeler, White, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

Senate bill No. 53, An act in relation to sidewalks in the city of Leon, Kan., was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 73, nays 0; absent or not voting, 49.

Members voting in favor of the passage of the bill were: Messrs. Archer, Banks, Beeson, Bird, Blaine, Boggs, Brandon, Brierley, Brown, Chatten, Cole, Cottingham, Cowan, Craddock, Curran, Davis, Davison of Marion, Dennis, Elstun, Enright, Finley, Flanigan, Fraser, Gesner, Guyer, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Mitchell, Morgan of Reno, Murphy, Oshant, Patterson, Peter, Pomeroy, Price, Ransom, Reynard, Rich, Richardson, Rochester, Rockefeller, Sherer, Sipple, Skinner, Sourbeer, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Umholtz, Westcott, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Adams, Berryman, Boyle, Clark, Creech, Crumly, Cunningham, Davidson of Sedgwick, Edwards, Fisher, Foley, Gants, Gordon, Grass, Ham, Haskins, Helmick, Husey, Ingalls, Jones, Milligan, Montee, Morgan of Hodgeman, Myers, Neihart, O'Conner, Padgett, Plumb, Pohlman, Polley, Potts, Rall, Rhodes, Richmond, Roush, Ryan, Saunders, Schmidt, Shepard, Snyder, Stannard, Stockton, Stone, Tannahill, Warren, Wells, Wheeler, White, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

Senate bill No. 74, An act creating and fixing the salary of

the under-sheriff of Harper county, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 73, nays 0; absent or not voting, 49.

Members voting in favor of the passage of the bill were: Messrs. Archer, Banks, Beeson, Bird, Blaine, Boggs, Brandon, Brierley, Brown, Chatten, Cole, Cottingham, Cowan, Craddock, Curran, Davis, Davison of Marion, Dennis, Elstun, Enright, Finley, Flanigan, Fraser, Gesner, Guyer, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Mitchell, Morgan of Reno, Murphy, Oshant, Patterson, Peter, Pomeroy, Price, Ransom, Reynard, Rich, Richardson, Rochester, Rockefeller, Sherer, Sipple, Skinner, Sourbeer, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Umholtz, Westcott, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Adams, Berryman, Boyle, Clark, Creech, Crumly, Cunningham, Davidson of Sedgwick, Edwards, Fisher, Foley, Gants, Gordon, Grass, Ham, Haskins, Helmick, Husey, Ingalls, Jones, Milligan, Montee, Morgan of Hodgeman, Myers, Neihart, O'Conner, Padgett, Plumb, Pohlman, Polley, Potts, Rall, Rhodes, Richmond, Roush, Ryan, Saunders, Schmidt, Shepard, Snyder, Stannard, Stockton, Stone, Tannahill, Warren, Wells, Wheeler, White, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

Senate bill No. 15, An act regulating the meetings of the boards of county commissioners, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 73, nays 0; absent or not voting, 49.

Members voting in favor of the passage of the bill were: Messrs. Archer, Banks, Beeson, Bird, Blaine, Boggs, Brandon, Brierley, Brown, Chatten, Cole, Cottingham, Cowan, Craddock, Curran, Davis, Davison of Marion, Dennis, Elstun, Enright, Finley, Flanigan, Fraser, Gesner, Guyer, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Mitchell, Morgan of Reno, Murphy, Oshant, Patterson, Peter, Pomeroy, Price, Ransom, Reynard, Rich, Richardson, Rochester, Rockefeller, Sherer, Sipple, Skinner, Sourbeer, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Umholtz, Westcott, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Adams, Berryman, Boyle, Clark, Creech, Crumly, Cunningham, Davidson of Sedgwick, Edwards, Fisher, Foley, Gants, Gordon, Grass,

Ham, Haskins, Helmick, Husey, Ingalls, Jones, Milligan, Montee, Morgan of Hodgeman, Myers, Neihart, O'Conner, Padgett, Plumb, Pohlman, Polley, Potts, Rall, Rhodes, Richmond, Roush, Ryan, Saunders, Schmidt, Shepard, Snyder, Stannard, Stockton, Stone, Tannahill, Warren, Wells, Wheeler, White, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 30, An act fixing the time for holding the regular terms of the district court and the court of common pleas of Wyandotte county, Kansas, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 73, nays 0; absent or not voting, 49.

Members voting in favor of the passage of the bill were: Messrs. Archer, Banks, Beeson, Bird, Blaine, Boggs, Brandon, Brierley, Brown, Chatten, Cole, Cottingham, Cowan, Craddock, Curran, Davis, Davison of Marion, Dennis, Elstun, Enright, Finley, Flanigan, Fraser, Gesner, Guyer, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Mitchell, Morgan of Reno, Murphy, Oshant, Patterson, Peter, Pomeroy, Price, Ransom, Reynard, Rich, Richardson, Rochester, Rockefeller, Sherer, Sipple, Skinner, Sourbeer, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Umholtz, Westcott, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Adams, Berryman, Boyle, Clark, Creech, Crumly, Cunningham, Davidson of Sedgwick, Edwards, Fisher, Foley, Gants, Gordon, Grass, Ham, Haskins, Helmick, Husey, Ingalls, Jones, Milligan, Montee, Morgan of Hodgeman, Myers, Neihart, O'Conner, Padgett, Plumb, Pohlman, Polley, Potts, Rall, Rhodes, Richmond, Roush, Ryan, Saunders, Schmidt, Shepard, Snyder, Stannard, Stockton, Stone, Tannahill, Warren, Wells, Wheeler, White, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 44, An act to enable cities of the first class having a population of more than 50,000 to refund their indebtedness, and providing penalties for the violation thereof, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 73, nays 0; absent or not voting, 49.

Members voting in favor of the passage of the bill were: Messrs. Archer, Banks, Beeson, Bird, Blaine, Boggs, Brandon, Brierley, Brown, Chatten, Cole, Cottingham, Cowan, Craddock, Curran, Davis, Davison of Marion, Dennis, Elstun,

Enright, Finley, Flanigan, Fraser, Gesner, Guyer, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Mitchell, Morgan of Reno, Murphy, Oshant, Patterson, Peter, Pomeroy, Price, Ransom, Reynard, Rich, Richardson, Rochester, Rockefeller, Sherer, Sipple, Skinner, Sourbeer, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Umholtz, Westcott, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Adams, Berryman, Boyle, Clark, Creech, Crumly, Cunningham, Davidson of Sedgwick, Edwards, Fisher, Foley, Gants, Gordon, Grass, Ham, Haskins, Helmick, Husey, Ingalls, Jones, Milligan, Montee, Morgan of Hodgeman, Myers, Neihart, O'Conner, Padgett, Plumb, Pohlman, Polley, Potts, Rall, Rhodes, Richmond, Roush, Ryan, Saunders, Schmidt, Shepard, Snyder, Stannard, Stockton, Stone, Tannahill, Warren, Wells, Wheeler, White, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 89, An act authorizing cities of the first class having a population of more than 50,000 to purchase, construct and contract for the construction of water-works, gas, electric-light and heating plants, and to issue bonds for such purposes, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 73, nays 0; absent or not voting, 49.

Members voting in favor of the passage of the bill were: Messrs. Archer, Banks, Beeson, Bird, Blaine, Boggs, Brandon, Brierley, Brown, Chatten, Cole, Cottingham, Cowan, Craddock, Curran, Davis, Davison of Marion, Dennis, Elstun, Enright, Finley, Flanigan, Fraser, Gesner, Guyer, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Mitchell, Morgan of Reno, Murphy, Oshant, Patterson, Peter, Pomeroy, Price, Ransom, Reynard, Rich, Richardson, Rochester, Rockefeller, Sherer, Sipple, Skinner, Sourbeer, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Umholtz, Westcott, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Adams, Berryman, Boyle, Clark, Creech, Crumly, Cunningham, Davidson of Sedgwick, Edwards, Fisher, Foley, Gants, Gordon, Grass, Ham, Haskins, Helmick, Husey, Ingalls, Jones, Milligan, Montee, Morgan of Hodgeman, Myers, Neihart, O'Conner, Padgett, Plumb, Pohlman, Polley, Potts, Rall, Rhodes, Richmond, Roush, Ryan, Saunders, Schmidt, Shepard, Snyder,

Stannard, Stockton, Stone, Tannahill, Warren, Wells, Wheeler, White, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 114, An act to amend chapter 290 of the Session Laws of 1907, being an act declaring section lines highways in the county of Rice and other counties therein named, and repealing said original chapter 290 of the Session Laws of 1907, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 73, nays 0; absent or not voting, 49.

Members voting in favor of the passage of the bill were: Messrs. Archer, Banks, Beeson, Bird, Blaine, Boggs, Brandon, Brierley, Brown, Chatten, Cole, Cottingham, Cowan, Craddock, Curran, Davis, Davison of Marion, Dennis, Elstun, Enright, Finley, Flanigan, Fraser, Gesner, Guyer, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Mitchell, Morgan of Reno, Murphy, Oshant, Patterson, Peter, Pomeroy, Price, Ransom, Reynard, Rich, Richardson, Rochester, Rockefeller, Sherer, Sipple, Skinner, Sourbeer, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Umholtz, Westcott, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Adams, Berryman, Boyle, Clark, Creech, Crumly, Cunningham, Davidson of Sedgwick, Edwards, Fisher, Foley, Gants, Gordon, Grass, Ham, Haskins, Helmick, Husey, Ingalls, Jones, Milligan, Montee, Morgan of Hodgeman, Myers, Neihart, O'Conner, Padgett, Plumb, Pohlman, Polley, Potts, Rall, Rhodes, Richmond, Roush, Ryan, Saunders, Schmidt, Shepard, Snyder, Stannard, Stockton, Stone, Tannahill, Warren, Wells, Wheeler, White, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

Senate bill No. 75, An act declaring the person therein named the adopted daughter and heir of Dr. John M. Hunt and Sarah M. Hunt, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 73, nays 0; absent or not voting, 49.

Members voting in favor of the passage of the bill were: Messrs. Archer, Banks, Beeson, Bird, Blaine, Boggs, Brandon, Brierley, Brown, Chatten, Cole, Cottingham, Cowan, Craddock, Curran, Davis, Davison of Marion, Dennis, Elstun, Enright, Finley, Flanigan, Fraser, Gesner, Guyer, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin,

Mayhew, Mercer, Miller, Mitchell, Morgan of Reno, Murphy, Oshant, Patterson, Peter, Pomeroy, Price, Ransom, Reynard, Rich, Richardson, Rochester, Rockefeller, Sherer, Sipple, Skinner, Sourbeer, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Umholtz, Westcott, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Adams, Berryman, Boyle, Clark, Creech, Crumly, Cunningham, Davidson of Sedgwick, Edwards, Fisher, Foley, Gants, Gordon, Grass, Ham, Haskins, Helmick, Husey, Ingalls, Jones, Milligan, Montee, Morgan of Hodgeman, Myers, Neihart, O'Conner, Padgett, Plumb, Pohlman, Polley, Potts, Rall, Rhodes, Richmond, Roush, Ryan, Saunders, Schmidt, Shepard, Snyder, Stannard, Stockton, Stone, Tannahill, Warren, Wells, Wheeler, White, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

Senate bill No. 91, An act to amend chapter 268 of the Session Laws of 1905, was read the third time.

Mr. Davis moved that it be amended in section 1, line 5, after the word "Finney," by inserting the word "Bourbon," which motion prevailed.

The question being, Shall the bill pass as amended? the roll was called, with the following result: Yeas 75, nays 0; absent or not voting, 47.

Members voting in favor of the passage of the bill were: Messrs. Adams, Archer, Banks, Beeson, Blaine, Boggs, Brandon, Brierley, Brown, Chatten, Cole, Cottingham, Cowan, Curran, Davis, Dennis, Edwards, Enright, Flanigan, Foley, Fraser, Gants, Gordon, Guyer, Ham, Hart, Hendricks, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Jones, Kiff, Kinnison, Kirtland, Lehman, Leland, Lennen, Leydig, McGillivray, Mayhew, Mercer, Milligan, Mitchell, Murphy, Oshant, Padgett, Patterson, Peter, Pohlman, Polley, Potts, Price, Ransom, Reynard, Rhodes, Rich, Rockefeller, Roush, Shepard, Sherer, Sipple, Stone, Stubbs, Sweeny, Swope, Tannahill, Thompson, Tredway, Wells, Westcott, Wheeler, White, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Berryman, Bird, Boyle, Clark, Craddock, Creech, Crumly, Cunningham, Davidson of Sedgwick, Davison of Marion, Elstun, Finley, Fisher, Gesner, Grass, Haskins, Helmick, Holden of Wichita, Husey, Ingalls, Lander, Martin, Miller, Montee, Morgan of Hodgeman, Morgan of Reno, Myers, Neihart, O'Conner, Plumb, Pomeroy, Rall, Richardson, Richmond, Rochester, Ryan, Saunders, Schmidt, Skinner, Snyder, Sourbeer, Stannard, Stockton, Taylor, Umholtz, Warren, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 67, An act empowering the Board of Railroad Commissioners, upon complaint, to investigate all express rates charged by express companies within the state of Kansas, and directing such investigation to be made, and to change any rate or rates or classification and substitute therefor a reasonable rate or rates or classification, was read the third time.

Mr. Enright moved to amend section 1, line 5, after the word "proceed," by inserting the following: "first giving such company or companies reasonable notice thereof and an opportunity to appear and be heard."

Mr. Oshant moved to amend the title by inserting after the word "act" the following: "supplemental to chapter 268 of the Session Laws of 1907, concerning express companies within the state of Kansas, and," which motion prevailed.

The question being, Shall the bill pass as amended? the roll was called, with the following result: Yeas 74, nays 0; absent or not voting, 48.

Members voting in favor of the passage of the bill were: Messrs. Adams, Archer, Banks, Berryman, Bird, Blaine, Boggs, Brandon, Brierley, Brown, Cole, Cottingham, Cowan, Craddock, Crumly, Cunningham, Davis, Dennis, Elstun, Enright, Finley, Fisher, Flanigan, Fraser, Gesner, Gordon, Grass, Guyer, Ham, Hendricks, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Kinnison, Kirtland, Lehman, Leland, Leydig, Mercer, Miller, Milligan, Mitchell, Murphy, Oshant, Padgett, Peter, Polley, Pomeroy, Ransom, Reynard, Richardson, Rockefeller, Roush, Sherer, Sipple, Skinner, Snyder, Sourbeer, Stone, Stubbs, Sweeny, Swope, Tannahill, Thompson, Tredway, Umholtz, Wells, Westcott, Wheeler, White, Wilson, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Beeson, Boyle, Chatten, Clark, Creech, Curran, Davidson of Sedgwick, Davidson of Marion, Edwards, Foley, Gants, Hart, Haskins, Helmick, Holden of Wichita, Husey, Ingalls, Jones, Kiff, Lander, Lennen, McGillivray, Martin, Mayhew, Montee, Morgan of Hodgeman, Morgan of Reno, Myers, Neihart, O'Conner, Patterson, Plumb, Pohlman, Potts, Price, Rall, Rhodes, Rich, Richmond, Rochester, Ryan, Saunders, Schmidt, Shepard, Stannard, Stockton, Taylor, and Warren.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title as amended was agreed to.

Senate bill No. 50, An act to authorize and enable district No. 19, situated in Washington county, Kansas, to levy and collect an additional tax to pay certain indebtedness now owing by said district, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 73, nays 0; absent or not voting, 49.

Members voting in favor of the passage of the bill were: Messrs. Archer, Banks, Beeson, Bird, Blaine, Boggs, Brandon, Brierley, Brown, Chatten, Cole, Cottingham, Cowan, Craddock, Curran, Davis, Davison of Marion, Dennis, Elstun, Enright, Finley, Flanigan, Fraser, Gesner, Guyer, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Mitchell, Morgan of Reno, Murphy, Oshant, Patterson, Peter, Pomeroy, Price, Ransom, Reynard, Rich, Richardson, Rochester, Rockefeller, Sherer, Sipple, Skinner, Sourbeer, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Umholtz, Westcott, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Adams, Berryman, Boyle, Clark, Creech, Crumly, Cunningham, Davidson of Sedgwick, Edwards, Fisher, Foley, Gants, Gordon, Grass, Ham, Haskins, Helmick, Husey, Ingalls, Jones, Milligan, Montee, Morgan of Hodgeman, Myers, Neihart, O'Conner, Padgett, Plumb, Pohlman, Polley, Potts, Rall, Rhodes, Richmond, Roush, Ryan, Saunders, Schmidt, Shepard, Snyder, Stannard, Stockton, Stone, Tannahill, Warren, Wells, Wheeler, White, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 82, An act to amend sections 1, 2 and 3 of chapter 151 of the Session Laws of Kansas, 1907, granting the board of county commissioners of Harvey county, Kansas, the right to sell the present county jail building and to dispose of the proceeds of sale, erect a new county jail building and sheriff's residence combined, to levy an annual tax on all the taxable property in the county in payment thereof, and the repeal of original sections 1, 2 and 3 of chapter 151 of the Session Laws of Kansas, 1907, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 73, nays 0; absent or not voting, 49.

Members voting in favor of the passage of the bill were: Messrs. Archer, Banks, Beeson, Bird, Blaine, Boggs, Brandon, Brierley, Brown, Chatten, Cole, Cottingham, Cowan, Craddock, Curran, Davis, Davison of Marion, Dennis, Elstun, Enright, Finley, Flanigan, Fraser, Gesner, Guyer, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Mitchell, Morgan of Reno, Murphy, Oshant, Patterson, Peter, Pomeroy, Price, Ransom, Reynard, Rich, Richardson, Rochester, Rockefeller, Sherer, Sipple, Skinner, Sourbeer, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Umholtz, Westcott, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Adams, Berryman, Boyle, Clark, Creech, Crumly, Cunningham, Davidson of Sedgwick, Edwards, Fisher, Foley, Gants, Gordon, Grass, Ham, Haskins, Helmick, Husey, Ingalls, Jones, Milligan, Montee, Morgan of Hodgeman, Myers, Neihart, O'Conner, Padgett, Plumb, Pohlman, Polley, Potts, Rali, Rhodes, Richmond, Roush, Ryan, Saunders, Schmidt, Shepard, Snyder, Stannard, Stockton, Stone, Tannahill, Warren, Wells, Wheeler, White, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

Senate bill No. 68, An act to amend sections 1 and 2 of chapter 87 of Session Laws of 1887, entitled "An act providing for the building and repairing of bridges in Mitchell, Ottawa, Lincoln and Osborne counties, Kansas, and providing funds therefor," was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 73, nays 0; absent or not voting, 49.

Members voting in favor of the passage of the bill were: Messrs. Archer, Banks, Beeson, Bird, Blaine, Boggs, Brandon, Brierley, Brown, Chatten, Cole, Cottingham, Cowan, Craddock, Curran, Davis, Davison of Marion, Dennis, Elstun, Enright, Finley, Flanigan, Fraser, Gesner, Guyer, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Mitchell, Morgan of Reno, Murphy, Oshant, Patterson, Peter, Pomeroy, Price, Ransom, Reynard, Rich, Richardson, Rochester, Rockefeller, Sherer, Sipple, Skinner, Sourbeer, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Umholtz, Westcott, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Adams, Berryman, Boyle, Clark, Creech, Crumly, Cunningham, Davidson of Sedgwick, Edwards, Fisher, Foley, Gants, Gordon, Grass, Ham, Haskins, Helmick, Husey, Ingalls, Jones, Milligan, Montee, Morgan of Hodgeman, Myers, Neihart, O'Conner, Padgett, Plumb, Pohlman, Polley, Potts, Rali, Rhodes, Richmond, Roush, Ryan, Saunders, Schmidt, Shepard, Snyder, Stannard, Stockton, Stone, Tannahill, Warren, Wells, Wheeler, White, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 64, An act authorizing city of Marquette, city of the third class, situated in the county of McPherson, state of Kansas, to issue bonds for floating indebtedness, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 73, nays 0; absent or not voting, 49.

Members voting in favor of the passage of the bill were: Messrs. Archer, Banks, Beeson, Bird, Blaine, Boggs, Brandon, Brierley, Brown, Chatten, Cole, Cottingham, Cowan, Craddock, Curran, Davis, Davison of Marion, Dennis, Elstun, Enright, Finley, Flanigan, Fraser, Gesner, Guyer, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Mitchell, Morgan of Reno, Murphy, Oshant, Patterson, Peter, Pomeroy, Price, Ransom, Reynard, Rich, Richardson, Rochester, Rockefeller, Sherer, Sipple, Skinner, Sourbeer, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Umholtz, Westcott, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Adams, Berryman, Boyle, Clark, Creech, Crumly, Cunningham, Davidson of Sedgwick, Edwards, Fisher, Foley, Gants, Gordon, Grass, Ham, Haskins, Helmick, Husey, Ingalls, Jones, Milligan, Montee, Morgan of Hodgeman, Myers, Neihart, O'Conner, Padgett, Plumb, Pohlman, Polley, Potts, Rall, Rhodes, Richmond, Roush, Ryan, Saunders, Schmidt, Shepard, Snyder, Stannard, Stockton, Stone, Tannahill, Warren, Wells, Wheeler, White, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

Senate bill No. 41, An act relating to territory outside of the city limits of cities of the first class, but adjacent thereto, and providing for the manner of holding elections for the election of members of the board of education in territory attached to cities of the first class for school purposes and for the payment of the expenses of such elections, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 73, nays 0; absent or not voting. 49.

Members voting in favor of the passage of the bill were: Messrs. Archer, Banks, Beeson, Bird, Blaine, Boggs, Brandon, Brierley, Brown, Chatten, Cole, Cottingham, Cowan, Craddock, Curran, Davis, Davison of Marion, Dennis, Elstun, Enright, Finley, Flanigan, Fraser, Gesner, Guyer, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Mitchell, Morgan of Reno, Murphy, Oshant, Patterson, Peter, Pomeroy, Price, Ransom, Reynard, Rich, Richardson, Rochester, Rockefeller, Sherer, Sipple, Skinner, Sourbeer, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Umholtz, Westcott, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Adams, Berryman, Boyle, Clark, Creech, Crumly, Cunningham, Davidson of Sedgwick, Edwards, Fisher, Foley, Gants, Gordon, Grass,

Ham, Haskins, Helmick, Husey, Ingalls, Jones, Milligan, Montee, Morgan of Hodgeman, Myers, Neihart, O'Conner, Padgett, Plumb, Pohlman, Polley, Potts, Rall, Rhodes, Richmond, Roush, Ryan, Saunders, Schmidt, Shepard, Snyder, Stannard, Stockton, Stone, Tannahill, Warren, Wells, Wheeler, White, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

Senate bill No. 60, An act making appropriation to pay the claim against the state of J. S. Dalziel, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 73, nays 0; absent or not voting, 49.

Members voting in favor of the passage of the bill were: Messrs. Archer, Banks, Beeson, Bird, Blaine, Boggs, Brandon, Brierley, Brown, Chatten, Cole, Cottingham, Cowan, Craddock, Curran, Davis, Davison of Marion, Dennis, Elstun, Enright, Finley, Flanigan, Fraser, Gesner, Guyer, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Mitchell, Morgan of Reno, Murphy, Oshant, Patterson, Peter, Pomeroy, Price, Ransom, Reynard, Rich, Richardson, Rochester, Rockefeller, Sherer, Sipple, Skinner, Sourbeer, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Umholtz, Westcott, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Adams, Berryman, Boyle, Clark, Creech, Crumly, Cunningham, Davidson of Sedgwick, Edwards, Fisher, Foley, Gants, Gordon, Grass, Ham, Haskins, Helmick, Husey, Ingalls, Jones, Milligan, Montee, Morgan of Hodgeman, Myers, Neihart, O'Conner, Padgett, Plumb, Pohlman, Polley, Potts, Rall, Rhodes, Richmond, Roush, Ryan, Saunders, Schmidt, Shepard, Snyder, Stannard, Stockton, Stone, Tannahill, Warren, Wells, Wheeler, White, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to

House bill No. 109, An act regulating the meetings of the boards of county commissioners of Lincoln county, Kansas, and providing for compensation of said board, was read the third time.

Mr. Skinner moved to amend by adding section 4, as follows: "This act shall take effect and be in force from and after its publication in the statute-book," which motion prevailed.

The question being, Shall the bill pass as amended? the roll was called, with the following result: Yeas 73, nays 0; absent or not voting, 49.

Members voting in favor of the passage of the bill were: Messrs. Archer, Banks, Beeson, Bird, Blaine, Boggs, Brandon,

Brierley, Brown, Chatten, Cole, Cottingham, Cowan, Craddock, Curran, Davis, Davison of Marion, Dennis, Elstun, Enright, Finley, Flanigan, Fraser, Gesner, Guyer, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Mitchell, Morgan of Reno, Murphy, Oshant, Patterson, Peter, Pomeroy, Price, Ransom, Reynard, Rich, Richardson, Rochester, Rockefeller, Sherer, Sipple, Skinner, Sourbeer, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Umholtz, Westcott, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Adams, Berryman, Boyle, Clark, Creech, Crumly, Cunningham, Davidson of Sedgwick, Edwards, Fisher, Foley, Gants, Gordon, Grass, Ham, Haskins, Helmick, Husey, Ingalls, Jones, Milligan, Montee, Morgan of Hodgeman, Myers, Neihart, O'Conner, Padgett, Plumb, Pohlman, Polley, Potts, Rall, Rhodes, Richmond, Roush, Ryan, Saunders, Schmidt, Shepard, Snyder, Stannard, Stockton, Stone, Tannahill, Warren, Wells, Wheeler, White, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 129, An act regulating the control and management of fire departments of cities of the first class, providing for a system of civil service examination, and repealing all laws in conflict therewith, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 73, nays 0; absent or not voting, 49.

Members voting in favor of the passage of the bill were: Messrs. Archer, Banks, Beeson, Bird, Blaine, Boggs, Brandon, Brierley, Brown, Chatten, Cole, Cottingham, Cowan, Craddock, Curran, Davis, Davison of Marion, Dennis, Elstun, Enright, Finley, Flanigan, Fraser, Gesner, Guyer, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Mitchell, Morgan of Reno, Murphy, Oshant, Patterson, Peter, Pomeroy, Price, Ransom, Reynard, Rich, Richardson, Rochester, Rockefeller, Sherer, Sipple, Skinner, Sourbeer, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Umholtz, Westcott, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Adams, Berryman, Boyle, Clark, Creech, Crumly, Cunningham, Davidson of Sedgwick, Edwards, Fisher, Foley, Gants, Gordon, Grass, Ham, Haskins, Helmick, Husey, Ingalls, Jones, Milligan, Montee, Morgan of Hodgeman, Myers, Neihart, O'Conner, Padgett, Plumb, Pohlman, Polley, Potts, Rall, Rhodes, Richmond, Roush, Ryan, Saunders, Schmidt, Shepard, Snyder,

Stannard, Stockton, Stone, Tannahill, Warren, Wells, Wheeler, White, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 15, An act to appropriate money for the payment of the pension of Harry Parks, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 73, nays 0; absent or not voting, 49.

Members voting in favor of the passage of the bill were: Messrs. Archer, Banks, Beeson, Bird, Blaine, Boggs, Brandon, Brierley, Brown, Chatten, Cole, Cottingham, Cowan, Craddock, Curran, Davis, Davison of Marion, Dennis, Elstun, Enright, Finley, Flanigan, Fraser, Gesner, Guyer, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Mitchell, Morgan of Reno, Murphy, Oshant, Patterson, Peter, Pomeroy, Price, Ransom, Reynard, Rich, Richardson, Rochester, Rockefeller, Sherer, Sipple, Skinner, Sourbeer, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Umholtz, Westcott, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Adams, Berryman, Boyle, Clark, Creech, Crumly, Cunningham, Davidson of Sedgwick, Edwards, Fisher, Foley, Gants, Gordon, Grass, Ham, Haskins, Helmick, Husey, Ingalls, Jones, Milligan, Montee, Morgan of Hodgeman, Myers, Neihart, O'Conner, Padgett, Plumb, Pohlman, Polley, Potts, Rall, Rhodes, Richmond, Roush, Ryan, Saunders, Schmidt, Shepard, Snyder, Stannard, Stockton, Stone, Tannahill, Warren, Wells, Wheeler, White, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

Senate bill No. 82, An act providing for and designating the manner of selecting petit jurors and prescribing their qualifications in counties having more than 100,000 population, and imposing on the judge of the district court and other courts of general jurisdiction, if any, in such counties, the duty of selecting jurors, and prescribing their compensation, and authorizing said judge to appoint a clerk and fix his compensation, and repealing said sections 5 and 12, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 73, nays 0; absent or not voting, 49.

Members voting in favor of the passage of the bill were: Messrs. Archer, Banks, Beeson, Bird, Blaine, Boggs, Brandon, Brierley, Brown, Chatten, Cole, Cottingham, Cowan, Craddock, Curran, Davis, Davison of Marion, Dennis, Elstun,

Enright, Finley, Flanigan, Fraser, Gesner, Guyer, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Mitchell, Morgan of Reno, Murphy, Oshant, Patterson, Peter, Pomeroy, Price, Ransom, Reynard, Rich, Richardson, Rochester, Rockefeller, Sherer, Sipple, Skinner, Sourbeer, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Umholtz, Westcott, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Adams, Berryman, Boyle, Clark, Creech, Crumly, Cunningham, Davidson of Sedgwick, Edwards, Fisher, Foley, Gants, Gordon, Grass, Ham, Haskins, Helmick, Husey, Ingalls, Jones, Milligan, Montee, Morgan of Hodgeman, Myers, Neihart, O'Conner, Padgett, Plumb, Pohlman, Polley, Potts, Rall, Rhodes, Richmond, Roush, Ryan, Saunders, Schmidt, Shepard, Snyder, Stannard, Stockton, Stone, Tannahill, Warren, Wells, Wheeler, White, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 61, An act transferring certain money from the state treasurer to the county of Finney, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 73, nays 0; absent or not voting, 49.

Members voting in favor of the passage of the bill were: Messrs. Archer, Banks, Beeson, Bird, Blaine, Boggs, Brandon, Brierley, Brown, Chatten, Cole, Cottingham, Cowan, Craddock, Curran, Davis, Davison of Marion, Dennis, Elstun, Enright, Finley, Flanigan, Fraser, Gesner, Guyer, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Mitchell, Morgan of Reno, Murphy, Oshant, Patterson, Peter, Pomeroy, Price, Ransom, Reynard, Rich, Richardson, Rochester, Rockefeller, Sherer, Sipple, Skinner, Sourbeer, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Umholtz, Westcott, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Adams, Berryman, Boyle, Clark, Creech, Crumly, Cunningham, Davidson of Sedgwick, Edwards, Fisher, Foley, Gants, Gordon, Grass, Ham, Haskins, Helmick, Husey, Ingalls, Jones, Milligan, Montee, Morgan of Hodgeman, Myers, Neihart, O'Conner, Padgett, Plumb, Pohlman, Polley, Potts, Rall, Rhodes, Richmond, Roush, Ryan, Saunders, Schmidt, Shepard, Snyder, Stannard, Stockton, Stone, Tannahill, Warren, Wells, Wheeler, White, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 79, An act to enable townships to issue bonds for the purpose of aiding railroad corporations in securing and paying for lands and water privileges and constructing water-works and water pipe-lines needed for shops, roundhouses or other terminal facilities, was read the third time.

Mr. Cowan moved to amend section 1, line 7, by striking out the word "side-track," which motion prevailed.

The question being, Shall the bill pass as amended, the roll was called, with the following result: Yeas 73, nays 0; absent or not voting, 49.

Members voting in favor of the passage of the bill were: Messrs. Archer, Banks, Beeson, Bird, Blaine, Boggs, Brandon, Brierley, Brown, Chatten, Cole, Cottingham, Cowan, Craddock, Curran, Davis, Davison of Marion, Dennis, Elstun, Enright, Finley, Flanigan, Fraser, Gesner, Guyer, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Mitchell, Morgan of Reno, Murphy, Oshant, Patterson, Peter, Pomeroy, Price, Ransom, Reynard, Rich, Richardson, Rochester, Rockefeller, Sherer, Sipple, Skinner, Sourbeer, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Umholtz, Westcott, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Adams, Berryman, Boyle, Clark, Creech, Crumly, Cunningham, Davidson of Sedgwick, Edwards, Fisher, Foley, Gants, Gordon, Grass, Ham, Haskins, Helmick, Husey, Ingalls, Jones, Milligan, Montee, Morgan of Hodgeman, Myers, Neihart, O'Conner, Padgett, Plumb, Pohlman, Polley, Potts, Rall, Rhodes, Richmond, Roush, Ryan, Saunders, Schmidt, Shepard, Snyder, Stannard, Stockton, Stone, Tannahill, Warren, Wells, Wheeler, White, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

Senate bill No. 78, An act to provide for the meetings of the board of county commissioners of Harper county, Kansas, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 73, nays 0; absent or not voting, 49.

Members voting in favor of the passage of the bill were: Messrs. Archer, Banks, Beeson, Bird, Blaine, Boggs, Brandon, Brierley, Brown, Chatten, Cole, Cottingham, Cowan, Craddock, Curran, Davis, Davison of Marion, Dennis, Elstun, Enright, Finley, Flanigan, Fraser, Gesner, Guyer, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lan-

der, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Mitchell, Morgan of Reno, Murphy, Oshant, Patterson, Peter, Pomeroy, Price, Ransom, Reynard, Rich, Richardson, Rochester, Rockefeller, Sherer, Sipple, Skinner, Sourbeer, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Umholtz, Westcott, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Adams, Berryman, Boyle, Clark, Creech, Crumly, Cunningham, Davidson of Sedgwick, Edwards, Fisher, Foley, Gants, Gordon, Grass, Ham, Haskins, Helmick, Husey, Ingalls, Jones, Milligan, Montee, Morgan of Hodgeman, Myers, Neihart, O'Conner, Padgett, Plumb, Pohlman, Polley, Potts, Rall, Rhodes, Richmond, Roush, Ryan, Saunders, Schmidt, Shepard, Snyder, Stannard, Stockton, Stone, Tannahill, Warren, Wells, Wheeler, White, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 88, An act authorizing the board of county commissioners of any county in Kansas having the population of 130,000 or more to declare by resolution when it is necessary to repair or improve a county building for court or county-office use for such county, fixing the maximum cost of such repairs and improvements, providing for petition therefor and a levy of a tax to create a fund to pay for said repairs and improvements, was read the third time.

Mr. Enright moved to amend in section 1, line 2, by changing the figures "130,000" to "100,000," and further, to amend the title by changing the figures "130,000" to "100,000," which motion prevailed.

The question being, Shall the bill pass as amended? the roll was called, with the following result: Yeas 73, nays 0; absent or not voting, 49.

Members voting in favor of the passage of the bill were: Messrs. Archer, Banks, Beeson, Bird, Blaine, Boggs, Brandon, Brierley, Brown, Chatten, Cole, Cottingham, Cowan, Craddock, Curran, Davis, Davison of Marion, Dennis, Elstun, Enright, Finley, Flanigan, Fraser, Gesner, Guyer, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Mitchell, Morgan of Reno, Murphy, Oshant, Patterson, Peter, Pomeroy, Price, Ransom, Reynard, Rich, Richardson, Rochester, Rockefeller, Sherer, Sipple, Skinner, Sourbeer, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Umholtz, Westcott, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Adams, Berryman, Boyle, Clark, Creech, Crumly, Cunningham, Davidson of Sedgwick, Edwards, Fisher, Foley, Gants, Gordon, Grass,

Ham, Haskins, Helmick, Husey, Ingalls, Jones, Milligan, Montee, Morgan of Hodgeman, Myers, Neihart, O'Conner, Padgett, Plumb, Pohlman, Polley, Potts, Rall, Rhodes, Richmond, Roush, Ryan, Saunders, Schmidt, Shepard, Snyder, Stannard, Stockton, Stone, Tannahill, Warren, Wells, Wheeler, White, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title as amended was agreed to.

House bill No. 132, An act authorizing the county commissioners of Montgomery county to levy an additional tax for the purposes of defraying county expenses in said county, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 73, nays 0; absent or not voting, 49.

Members voting in favor of the passage of the bill were: Messrs. Archer, Banks, Beeson, Bird, Blaine, Boggs, Brandon, Brierley, Brown, Chatten, Cole, Cottingham, Cowan, Craddock, Curran, Davis, Davison of Marion, Dennis, Elstun, Enright, Finley, Flanigan, Fraser, Gesner, Guyer, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Mitchell, Morgan of Reno, Murphy, Oshant, Patterson, Peter, Pomeroy, Price, Ransom, Reynard, Rich, Richardson, Rochester, Rockefeller, Sherer, Sipple, Skinner, Sourbeer, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Umholtz, Westcott, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Adams, Berryman, Boyle, Clark, Creech, Crumly, Cunningham, Davidson of Sedgwick, Edwards, Fisher, Foley, Gants, Gordon, Grass, Ham, Haskins, Helmick, Husey, Ingalls, Jones, Milligan, Montee, Morgan of Hodgeman, Myers, Neihart, O'Conner, Padgett, Plumb, Pohlman, Polley, Potts, Rall, Rhodes, Richmond, Roush, Ryan, Saunders, Schmidt, Shepard, Snyder, Stannard, Stockton, Stone, Tannahill, Warren, Wells, Wheeler, White, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 133, An act authorizing and empowering the board of education of the city of Frontenac, Kan., to levy a tax for the support of the schools of said city, not exceeding thirty mills on the dollar for any one year, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 73, nays 0; absent or not voting, 49.

Members voting in favor of the passage of the bill were: Messrs. Archer, Banks, Beeson, Bird, Blaine, Boggs, Brandon,

Brierley, Brown, Chatten, Cole, Cottingham, Cowan, Craddock, Curran, Davis, Davison of Marion, Dennis, Elstun, Enright, Finley, Flanigan, Fraser, Gesner, Guyer, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Mitchell, Morgan of Reno, Murphy, Oshant, Patterson, Peter, Pomeroy, Price, Ransom, Reynard, Rich, Richardson, Rochester, Rockefeller, Sherer, Sipple, Skinner, Sourbeer, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Umholtz, Westcott, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Adams, Berryman, Boyle, Clark, Creech, Crumly, Cunningham, Davidson of Sedgwick, Edwards, Fisher, Foley, Gants, Gordon, Grass, Ham, Haskins, Helmick, Husey, Ingalls, Jones, Milligan, Montee, Morgan of Hodgeman, Myers, Neihart, O'Conner, Padgett, Plumb, Pohlman, Polley, Potts, Rall, Rhodes, Richmond, Roush, Ryan, Saunders, Schmidt, Shepard, Snyder, Stannard, Stockton, Stone, Tannahill, Warren, Wells, Wheeler, White, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 76, An act to amend section 4241 of the General Statutes of Kansas of 1901, as amended by chapter 365 of the Laws of 1903, relating to the release of mortgages, and repealing said section 4241 as amended, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 75, nays 0; absent or not voting, 47.

Members voting in favor of the passage of the bill were: Messrs. Adams, Archer, Banks, Beeson, Blaine, Boggs, Brandon, Brierley, Brown, Chatten, Cole, Cottingham, Cowan, Curran, Davis, Dennis, Edwards, Enright, Flanigan, Foley, Fraser, Gants, Gordon, Guyer, Ham, Hart, Hendricks, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Jones, Kiff, Kinnison, Kirtland, Lehman, Leland, Lennen, Leydig, McGillivray, Mayhew, Mercer, Milligan, Mitchell, Murphy, Oshant, Padgett, Patterson, Peter, Pohlman, Polley, Potts, Price, Ransom, Reynard, Rhodes, Rich, Rockefeller, Roush, Shepard, Sherer, Sipple, Stone, Stubbs, Sweeny, Swope, Tannahill, Thompson, Tredway, Wells, Westcott, Wheeler, White, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Berryman, Bird, Boyle, Clark, Craddock, Creech, Crumly, Cunningham, Davidson of Sedgwick, Davison of Marion, Elstun, Finley, Fisher, Gesner, Grass, Haskins, Helmick, Holden of Wichita, Husey, Ingalls, Lander, Martin, Miller, Montee, Morgan of Hodgeman, Morgan of Reno, Myers, Neihart, O'Conner, Plumb, Pomeroy, Rall, Richardson, Richmond, Rochester,

Ryan, Saunders, Schmidt, Skinner, Snyder, Sourbeer, Stannard, Stockton, Taylor, Umholtz, Warren, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 70, An act to prevent filthy practices in passenger-coaches and cars, and prescribing penalties for the violation thereof, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 79, nays 0; absent or not voting, 43.

Members voting in favor of the passage of the bill were: Messrs. Archer, Banks, Beeson, Berryman, Bird, Boggs, Brierley, Brown, Chatten, Cole, Cottingham, Cowan, Cunningham, Curran, Davis, Davison of Marion, Dennis, Edwards, Elstun, Enright, Finley, Flanigan, Fraser, Gordon, Grass, Guyer, Ham, Helmick, Holdren of Montgomery, Husey, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Mercer, Miller, Milligan, Mitchell, Murphy, Oshant, Padgett, Patterson, Peter, Pohlman, Polley, Pomeroy, Potts, Price, Ransom, Reynard, Rich, Richardson, Rochester, Rockefeller, Roush, Sherer, Sipple, Skinner, Stone, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Wells, Westcott, Wheeler, White, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Adams, Blaine, Boyle, Brandon, Clark, Craddock, Creech, Crumly, Davidson of Sedgwick, Fisher, Foley, Gants, Gesner, Hart, Haskins, Hendricks, Holden of Wichita, Ingalls, Jones, Martin, Mayhew, Montee, Morgan of Hodgeman, Morgan of Reno, Myers, Neihart, O'Conner, Plumb, Rall, Rhodes, Richmond, Ryan, Saunders, Schmidt, Shepard, Snyder, Sourbeer, Stannard, Stockton, Tannahill, Umholtz, Warren, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

Senate bill No. 100, An act relating to the terms of court in the thirty-third judicial district, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 73, nays 0; absent or not voting, 49.

Members voting in favor of the passage of the bill were: Messrs. Archer, Banks, Beeson, Bird, Blaine, Boggs, Brandon, Brierley, Brown, Chatten, Cole, Cottingham, Cowan, Craddock, Curran, Davis, Davison of Marion, Dennis, Elstun, Enright, Finley, Flanigan, Fraser, Gesner, Guyer, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Mitchell, Morgan of Reno, Murphy, Oshant, Patterson, Peter, Pomeroy, Price, Ransom, Reynard,

Rich, Richardson, Rochester, Rockefeller, Sherer, Sipple, Skinner, Sourbeer, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Umholtz, Westcott, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Adams, Berryman, Boyle, Clark, Creech, Crumly, Cunningham, Davidson of Sedgwick, Edwards, Fisher, Foley, Gants, Gordon, Grass, Ham, Haskins, Helmick, Husey, Ingalls, Jones, Milligan, Montee, Morgan of Hodgeman, Myers, Neihart, O'Conner, Padgett, Plumb, Pohlman, Polley, Potts, Rall, Rhodes, Richmond, Roush, Ryan, Saunders, Schmidt, Shepard, Snyder, Stannard, Stockton, Stone, Tannahill, Warren, Wells, Wheeler, White, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

Senate bill No. 116, An act authorizing the board of education of the city of Pratt, Pratt county, Kansas, to levy a tax for the support of the schools of the city, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 73, nays 0; absent or not voting, 49.

Members voting in favor of the passage of the bill were: Messrs. Archer, Banks, Beeson, Bird, Blaine, Boggs, Brandon, Brierley, Brown, Chatten, Cole, Cottingham, Cowan, Craddock, Curran, Davis, Davison of Marion, Dennis, Elstun, Enright, Finley, Flanigan, Fraser, Gesner, Guyer, Hart, Hendricks, Holden of Wichita, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Mitchell, Morgan of Reno, Murphy, Oshant, Patterson, Peter, Pomeroy, Price, Ransom, Reynard, Rich, Richardson, Rochester, Rockefeller, Sherer, Sipple, Skinner, Sourbeer, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Umholtz, Westcott, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Adams, Berryman, Boyle, Clark, Creech, Crumly, Cunningham, Davidson of Sedgwick, Edwards, Fisher, Foley, Gants, Gordon, Grass, Ham, Haskins, Helmick, Husey, Ingalls, Jones, Milligan, Montee, Morgan of Hodgeman, Myers, Neihart, O'Conner, Padgett, Plumb, Pohlman, Polley, Potts, Rall, Rhodes, Richmond, Roush, Ryan, Saunders, Schmidt, Shepard, Snyder, Stannard, Stockton, Stone, Tannahill, Warren, Wells, Wheeler, White, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

Mr. Westcott moved that the House take a recess until two o'clock this afternoon, which motion prevailed.

AFTERNOON SESSION.

The House reconvened at two o'clock, with Speaker Simmons in the chair.

COMMITTEE OF THE WHOLE.

Mr. Sourbeer moved that the House go into committee of the whole for the consideration of bills on the Calendar under the head of "General Orders." A vote being had, the motion prevailed.

The House went into committee of the whole, with Mr. Guyer in the chair.

After some time spent therein the committee rose, and through the chairman submitted the following report:

MR. SPEAKER: The committee of the whole House have had under consideration bills on the Calendar under the head of "General Orders," and I am directed to report as follows:

Recommend that House bill No. 85, An act amending chapter 254 of the Laws of 1901, the same being an act entitled "An act to create a State Board of Medical Registration and Examination, and to regulate the practice of medicine, surgery and osteopathy in the state of Kansas, to provide penalties for the violations thereof, and repealing chapter 68 of Session Laws of 1870," be amended by striking out of section 1, line 2, the words "the same being section 7228 of Dassler's Statutes of 1905"; by striking out of line 3 the words "practicing defined" and inserting the words "Section 6"; and in line 20, by adding the letter "s" to the word "other." By striking out all of sections 2, 3 and 4. By adding as section 2, "That section 6 of chapter 254 of the Laws of 1901 is hereby repealed." By adding as section 3 the following: "This act shall take effect and be in force from and after its publication in the official state paper." That the title be amended by adding at the end thereof "and repealing section 6 of chapter 254 of the Laws of 1901." And that it be passed as amended.

That action on House bill No. 126 be deferred, the bill retaining its place on the Calendar.

That House bill No. 124, An act providing for the enrolment of civil war and Spanish-American war veterans, be amended in section 1, line 13, by striking out all after the word "enrolment," and be passed as amended.

That House bill No. 130, An act to provide for a bounty on gopher, ground-mole and rabbit scalps, to require a license to carry a gun, providing a penalty for the violation of this act, requiring the bounty on rabbit scalps to be paid out of the license fund, and repealing all acts and parts of acts in conflict with this act, be amended in line 4 of section 1 by inserting the word "pocket" before the word "gopher," and in line 5 by inserting the word "pocket" before the word "gopher"; also, by striking out sections 2, 3 and 4. In section 5, lines 5 and 6, insert the word "pocket" before the word "gopher," and strike out "ground squirrel"; also, in line 5 insert after the word "gopher" the words "or ground-mole"; in line 9 strike out the words "of the," and strike out the letter "s" in the word "animals." Change section 5 to new section 2; section 6 to new section 3; section 7 to new section 4. Amend title by inserting the word "pocket" before the word "gopher," and insert the word "and" before the word "ground." Also, strike out, beginning with the words "and rabbit," down to and including word "fund," in line 4. And that it be passed as amended.

That action on House bill No. 27, An act relating to intoxicating

liquors, and supplemental to chapter 339 of the Laws of 1903, be deferred, the bill retaining its place on Calendar.

That section 1 of House bill No. 115, An act to amend section 8, chapter 268, Session Laws of 1907, etc., be amended as amended by the Committee on Railroads, and passed as amended.

That House bill No. 101, An act supplemental to chapter 286 of the Session Laws of 1901, chapter 340 of the Session Laws of 1905, and chapter 268 of the Session Laws of 1907, concerning the time in which the orders made by the Board of Railroad Commissioners shall take effect and remain in force, relative to railroad freight and passenger schedules, rates, tariffs, and classifications, and providing penalties for the failure or neglect of the railroads to obey such orders, be amended by striking out section 2 and inserting the following in lieu thereof:

SEC. 2. It shall be the duty of every common carrier, its agents and employees, to observe and comply with such order, or orders, contemplated by section 1 hereof, so long as the same shall remain in effect. Any carrier, any officer, representative or agent of a carrier, or any receiver, trustee, lessee, or agent of either of them, who knowingly fails or neglects to obey any order or orders contemplated by section 1 of this act, shall forfeit to the state of Kansas, to the support of common schools, the sum of one hundred dollars to five hundred dollars for each and every day that any such order is neglected or disobeyed, after such order is in effect pursuant to section 1 hereof, as may seem commensurate to the court or jury on all the evidence offered at the trial showing the character and the extent of the order and the reason or grounds shown by the defendant for neglecting or disobeying such order; provided, that the state shall not be required to offer evidence showing the reason or grounds of the defendant for neglecting or disobeying said order. And in case of a continuing violation each day of said order, it shall be deemed a separate violation until said order is obeyed. This act does not intend a cumulative recovery against both the common carrier and the several named classes who represent such common carrier. But if any common carrier, or the railroad companies, shall bring suit within the time provided by the statute to test the reasonableness of such order, no suit shall be brought to recover such forfeiture or penalty until said order has been adjudicated.

And that it be passed as amended.

That action on House bill No. 119, An act relating to the appointment of agents for life and other insurance companies in the state of Kansas, and prohibiting the superintendent of insurance from issuing a license to such non-resident agents, amending section 19 of chapter 93 of the Laws of 1871, be deferred, the bill retaining its place on the Calendar.

That House bill No. 20, An act relating to the stopping of passenger-trains for receiving and letting off passengers at railroad stations in towns or cities in Labette county, Kansas, having a population of 1000 or more, be amended in section 1, line 4, by inserting the words "and Stafford" after the word "Labette," and changing the word "county" to "counties"; also, in line 6, by striking out the word "and" and inserting the word "or" in lieu thereof; also, amend title by inserting the words "and Stafford" after the word "Labette," and change the word "county" to "counties." And that it be passed as amended.

That action on House bill No. 50, An act apportioning the state of Kansas into representative districts, be deferred, the bill retaining its place on the Calendar.

That House bill No. 128, An act authorizing cities of the third class to fund their outstanding floating indebtedness in certain cases, be passed.

That action on House bill No. 120, An act to amend sections 3 and 18 of chapter 408 of the Session Laws of 1907, and repealing said original sections 3 and 18, be deferred, the bill retaining its place on the Calendar.

That House bill No. 110. An act to amend sections 1, 2, 6, 11 of chapter 407 of Laws of Kansas, 1907, and repeal said original sections, be passed.

That House bill No. 102, An act for the protection of antelopes, be amended in section 1, line 4, by changing the word "five" to "ten" and by adding the words "or deer" after the word "antelope." Also, as recommended by the Committee on Live Stock. And that it be passed as amended.

That action on House bill No. 91, An act to amend section 2 of chapter 408 of the Session Laws of 1907, relating to the creation of a Tax Commission, and defining the powers of such commission, etc., be deferred, the bill retaining its place on the Calendar.

J. E. GUYER, *Chairman*.

Mr. Guyer moved the adoption of the report of the committee of the whole, which motion prevailed.

REPORTS OF STANDING COMMITTEES.

Mr. Holdren, chairman of the Committee on Cities of the Second Class, asked unanimous consent to submit the following report, which consent was granted:

MR. SPEAKER: Your Committee on Cities of the Second Class, to whom was referred Senate bill No. 77, An act to amend chapter 125, Session Laws of 1907, being an act to amend section 949 of the General Statutes of Kansas, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

Also, Senate bill No. 115, An act to amend section 994, Statutes of Kansas, 1901, relating to the powers of city councils of cities of second class, and recommend that it be passed. J. W. HOLDREN, *Chairman*.

Mr. Miller, chairman of the Committee on Printing, asked unanimous consent to submit the following report, which consent was granted:

MR. SPEAKER: Your Committee on Printing, to whom was referred House bill No. 84, An act concerning contracts awarded by county commissioners, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be not passed.

JOHN J. MILLER, *Chairman*.

Mr. Hendricks moved that the House do now adjourn until Monday morning at ten o'clock, which motion prevailed.

TENTH DAY.

MORNING SESSION.

HALL OF THE HOUSE OF REPRESENTATIVES,
January 27, 1908—10 A. M.

The House convened, with Speaker Simmons in the chair.

The roll was called and 119 gentlemen were present and answered to their names.

Gentlemen absent were: Messrs. Creech, Warren, and Ingalls.

Gentlemen absent by leave were: Messrs. Creech, Warren, and Ingalls.

Quorum present.

Prayer by the chaplain.

READING AND CORRECTION OF THE JOURNAL.

Mr. Mitchell moved that the rules be suspended and that the further reading of the Journal be dispensed with, and that the same be referred to the Committee on Supervision of the Journal, which motion prevailed.

REPORT OF SELECT COMMITTEE.

Mr. Grass, chairman of the special committee appointed by the speaker to draft new bills relating to the guaranty deposit law, submitted the following reports:

MR. SPEAKER: Your special committee on banks and banking, to whom were referred all House bills relating to guaranty deposits, beg leave to submit the attached substitute bill as a substitute for House bill No. 123.

H. W. GRASS, *Chairman*.

AN ACT providing for the security of depositors in the incorporated state banks of Kansas, and for the enforcement of this act.

Be it enacted by the Legislature of the State of Kansas:

SECTION 1. Whenever the deposits of any incorporated state bank of this state exceed the capital stock and surplus of such bank, it shall be the duty of such bank, without notice from the bank commissioner, to execute to the state of Kansas for the benefit of the depositors of such bank, security as hereinafter provided for and in a sum at least equal to the excess of the deposits of such bank above its capital stock and surplus.

SEC. 2. The security herein provided for may be by a bond given by individuals (who may limit their liability thereon by expressing in such bond, at the time of signing it, the amount for which they intend to be bound), or by a bond of one or more surety companies authorized to insure bank deposits, or by the policy of one or more deposit insurance companies authorized to insure banks and bank deposits, or by individual bonds in part and any such surety company in part and any such deposit insurance company in part.

SEC. 3. A copy of such bond, bonds or deposit insurance policy, sworn to by the cashier of such bank as true, shall be deposited in the office of the county clerk of the county in which such bank is located, and shall be open to inspection as public records.

SEC. 4. It shall be the duty of such bank to transmit such bond, bonds or deposit insurance policy to the bank commissioner, who shall retain the custody of such bond, bonds or deposit insurance policy. A copy of such bond, bonds or deposit insurance policy, duly certified by the bank commissioner as true, shall be received in evidence in all courts to the extent and with the same effect as the original.

SEC. 5. The security herein provided for shall at all times be kept at least equal

to the excess of deposits above the capital stock and surplus of each bank herein named, and whenever an additional bond or deposit insurance policy is given it shall be the duty of the bank so giving such bond or deposit insurance policy to file a verified copy of such bond or deposit insurance policy with the county clerk as in this act provided, and to transmit such additional bond or deposit insurance policy to the bank commissioner. Whenever an obligor upon any bond herein provided for shall remove from this state, or when any surety bond or deposit insurance policy given by any such bank shall be terminated, it shall be the duty of the cashier of the bank causing such bond or policy to be given to at once file in the office of the county clerk of the county in which is located such bank a statement, in writing, setting forth such removal or termination, which statement shall by such county clerk be attached to the bonds and policies in force given by such bank. Such bank shall also notify the bank commissioner of the removal of any such obligor or of the termination of the bond of any such surety company, or the termination of the policy of such deposit insurance company.

SEC. 6. It shall be the duty of the bank commissioner, his deputies and examiners, when they examine any bank, to investigate the financial condition of the sureties on and the security of the bond, bonds or deposit insurance policy so given by such bank; and whenever the bank commissioner shall deem the security of any such bank insufficient he shall require such bank, within such reasonable time as he shall name, to give other and additional security in such amount as he shall specify.

SEC. 7. If any bank shall fail to give the security herein required to the amount and within the time provided by this act, the bank commissioner shall at once take charge and control of such bank. The affairs of such bank shall thereafter be administered by the bank commissioner as provided by law for the control of insolvent banks, and the bank commissioner is hereby empowered to prosecute legal proceedings in any of the courts having jurisdiction to enforce the collection of any bond, or deposit insurance policy, given by such bank; provided, that such bank may resume business upon compliance with the requirements of this act and upon the payment of all the expenses incurred by the bank commissioner during the time he controlled such bank.

SEC. 8. This act shall take effect and be in force from and after its publication in the official state paper.

MR. SPEAKER: Your special committee on banks and banking, to whom were referred all bills relating to guaranty deposits, beg leave to submit the attached substitute bill as a substitute for House bill No. 13.

H. W. GRASS, Chairman.

AN ACT providing for the security of depositors in the incorporated banks of Kansas, creating a "bank depositors' indemnity fund," and providing regulations therefor.
Be it enacted by the Legislature of the State of Kansas:

SECTION 1. Every incorporated bank doing business in this state under the general banking act of Kansas is hereby authorized and empowered, by resolution of its board of directors, authorized by its stockholders, to participate in the assessments and benefits of the "bank depositors' indemnity fund" hereinafter provided for. Before the depositors of any bank shall become indemnified as hereinafter provided, a copy of such resolution, duly certified by the president and secretary of said bank, shall be filed with the state bank commissioner within ninety days after the passage of this act, or by a new bank within ninety days after it shall have been authorized to do business by the state bank commissioner, who shall make a rigid examination of its affairs, and if found to be solvent and conducting its business in accordance with law, shall, after payment of the first assessment herein provided for, issue to such bank a certificate stating that such bank has complied with the provisions of this act, and that its depositors are indemnified by the "bank depositors' indemnity fund."

SEC. 2. The state bank commissioner is hereby authorized and directed, within six months after the passage of this act, and annually thereafter, to assess every incorporated bank participating in the "bank depositors' indemnity fund" hereinafter provided for, or which shall become a participating bank after the time of such assessment, as follows: One-fifth of one per cent. of its average daily deposits for the last preceding year not secured by collateral or bonds, or deposits bearing interest, as shown by its called published statements for the preceding year. Any bank not having been in business the full preceding year shall be assessed on the amount of deposits not secured by collateral or bonds or deposits bearing interest shown at the time of its last called published statement for the preceding year; provided, that every new participating bank shall, in addition to its assessments above provided for, be assessed, at the time of its first assessment, its proportionate share of the money then in the indemnity fund after all losses which have occurred prior to its application have been deducted, the amount of such additional assessment to be determined by the bank commissioner. The last above-mentioned assessment, however, shall not be required of new banks formed by the reorganization or consolidation of banks that have previously complied with the terms of this act. The state bank commissioner, on making such assessment, shall thereupon notify each and every bank so assessed, stating the amount of its assessment, and thereupon each and every bank so assessed and notified shall remit the amount of such assessment to the treasurer of the state of Kansas, who shall place the said amount to the credit of the fund called "the bank depositors' indemnity fund," and issue his receipt in triplicate therefor, one copy to the bank commissioner, one copy to the auditor of state, and one copy to the bank so remitting. A penalty of fifty per

centum of the amount of the assessment levied against any bank shall be added to the assessment of said bank not remitting as aforesaid within thirty days after the receipt of said notice from the bank commissioner; provided, that if any bank entitled to participate in the indemnity fund herein provided for shall notify the bank commissioner prior to the time any assessment is called for by the said bank commissioner, by filing with said bank commissioner a certified copy of the resolutions of the board of directors of said bank, approved by the stockholders, at the annual meeting or at any special meeting called for that purpose, that said bank desires to withdraw from participating in said indemnity fund, then such assessment shall not be levied on said bank, nor shall said penalty attach for non-payment. If any bank which shall have been assessed and notified as aforesaid shall fail to remit the amount of said assessment as herein provided for within ninety days after the receipt of notice from the bank commissioner, unless said bank shall have withdrawn as heretofore provided for, the bank commissioner is hereby authorized and directed to collect the amount of said assessment and penalty by proceedings at law from such bank so failing to remit, and if such bank so failing to remit be a state bank, the bank commissioner is hereby authorized to revoke its authority to transact a banking business until such assessment and penalty is paid.

The bank commissioner shall continue to make such assessments annually, or oftener if necessary, as provided in section 3 of this act, upon each bank as herein provided, until the amount in the hands of the treasurer of the state of Kansas and to the credit of this fund shall equal or exceed the sum of one million dollars, when he shall discontinue such assessments. When the fund so raised shall have been reduced to seven hundred and fifty thousand dollars the bank commissioner shall resume and continue such assessments as herein provided until such fund shall again equal or exceed one million dollars, when said assessments shall cease. The treasurer of the state of Kansas shall hold this fund in the state depository banks, as provided by law governing other state funds, subject to the order of the bank commissioner, countersigned by the state auditor, for the payment of depositors of failed participating banks as hereinafter provided, and for the payment of expenses incidental to the administration of this act. The state treasurer shall credit this fund quarterly with its proportionate share of interest received from state funds at the minimum rate of interest provided by law, computed upon the average daily balance of said fund.

SEC. 3. Receivers for participating banks shall be appointed as provided by law, but after the passage of this act the bank commissioner shall, at such periods as he may deem expedient and the receiver shall furnish a certified list of the unpaid depositors of such bank and the amount due each depositor at that date, and the bank commissioner shall pay such depositors as are indemnified under the provisions of this act, such dividends as he may deem to be expedient and charge the same to the "bank depositors' indemnity fund" provided for in section 2 of this act, until each depositor indemnified under the provisions of this act has received payment in full for the amount of his claim as certified by the receiver; the last dividend above provided for shall be paid within ninety days from the date of appointment of such receiver, provided the condition of the indemnity fund will permit. Whenever the bank commissioner shall have paid any dividend to the depositors of such failed bank, the claims of such depositors against the bank and all right of action which such depositors so paid had against said bank shall revert to the bank commissioner for the use and benefit of the "bank depositors' indemnity fund," and he shall deposit all funds received on account of such claims to the credit of the said indemnity fund with the state treasurer, who shall issue his receipt therefor in triplicate, one copy to the bank commissioner, one copy to the auditor of state and one copy to the receiver of said bank, until the fund shall have been fully reimbursed for all payments, costs and expenses made on account of such bank, or until there has been collected from the stockholders and from the assets of the bank all that is possible under the law, and the receiver has made his final report.

The bank commissioner shall pay the depositors, indemnified under the provisions of this act, of such failed banks in the order in which the receivers shall have been appointed. If, however, there shall not be in the "bank depositors' indemnity fund" an amount sufficient to pay in full the amount due and unpaid to depositors indemnified under the provisions of this act, as provided in this section, then the bank commissioner shall proceed to make other assessments, as provided for in section 5 of this act, until all depositors of such failed banks, indemnified under the provisions of this act, are fully paid; provided, that not to exceed three assessments shall be made in any one year. The bank commissioner shall publish quarterly in the official state paper an itemized, verified statement of receipts and disbursements, showing the condition of the said "bank depositors' indemnity fund."

SEC. 4. The foregoing sections shall not apply to a bank's obligation as indorser upon bills rediscounted, nor to bills payable, nor to money borrowed temporarily of their correspondents or others, nor to deposits on which interest is paid, nor to deposits secured by collateral or bonds. The holders of this class of obligations shall not be entitled to any payment out of the "bank depositors' indemnity fund," and receivers shall pay dividends upon these obligations as heretofore under existing laws.

SEC. 5. After the passage of this act any national bank doing business in this state under the laws of the United States, after examination at its expense by the state bank commissioner, and upon his approval as to its financial condition, may, at its option, participate in the assessments and benefits of the "bank depositors' indemnity fund," upon the same terms and conditions as apply to state banks. National banks having availed themselves of the provisions of this act may withdraw therefrom upon the same terms and conditions as state banks.

SEC. 6. It shall be unlawful for any bank, after the passage of this act, to advertise that its deposits are guaranteed by the state of Kansas, and any officer, clerk or agent of any bank in this state who shall violate the provisions of this section shall be deemed guilty of a misdemeanor, and shall on conviction thereof in any court of competent jurisdiction be fined not more than one hundred dollars nor more than five hundred dollars, in the discretion of the court.

SEC. 7. This act shall take effect and be in force from and after its publication in the official state paper.

The above substitute for House bill No. 13 and the above substitute for House bill No. 123 were thereupon read the first time.

Mr. Archer moved that an emergency be declared, the rules suspended, and that substitute for House bill No. 13 be read the second time and referred to the committee of the whole, which motion prevailed.

Substitute for House bill No. 13, An act providing for the security of depositors in the incorporated banks of Kansas, creating a bank depositors' indemnity fund, and providing regulations therefor, was thereupon read the second time and referred to the committee of the whole.

Mr. Grass moved that an emergency be declared, the rules suspended, and that substitute for House bill No. 123 be read the second time and referred to the committee of the whole, which motion prevailed.

Substitute for House bill No. 123, An act providing for the security of depositors in the incorporated banks of Kansas, and for the enforcement of this act, was thereupon read the second time and referred to the committee of the whole.

COMMITTEE OF THE WHOLE.

Mr. Mitchell moved that the House go into committee of the whole for the consideration of bills on the Calendar under the head of "Special Orders." A vote being had, the motion prevailed.

The House went into committee of the whole, with Mr. Archer in the chair.

After some time spent therein the committee rose, and through the chairman submitted the following report:

MR. SPEAKER: The committee of the whole House have had under consideration bills on the Calendar under the head of "Special Orders," and I am directed to report as follows:

Have considered substitute for House bill No. 13, An act providing for the security of depositors in the incorporated banks of Kansas, creating a "bank depositors' indemnity fund," and providing regulations therefor, and the committee asks leave to sit again.

W. E. ARCHER, *Chairman.*

Mr. Archer moved the adoption of the report of the committee of the whole.

Mr. Archer moved to take a recess until two o'clock, which motion prevailed.

AFTERNOON SESSION.

The House reconvened at two o'clock with the speaker in the chair.

COMMITTEE OF THE WHOLE.

Mr. Mitchell moved that the House go into committee of the whole for the consideration of bills on the Calendar under the head of "Special Orders." A vote being had, the motion prevailed.

The House went into committee of the whole, with Mr. Archer in the chair.

After some time spent therein the committee rose, and through the chairman submitted the following report:

MR. SPEAKER: The committee of the whole House have had under consideration bills on the Calendar under the head of "Special Orders," and I am directed to report as follows:

Recommend that substitute for House bill No. 13, An act providing for the security of depositors in the incorporated banks of Kansas, creating a "bank depositors' indemnity fund," and providing regulations therefor, be amended as follows:

In section 2, line 60, change "is" to "are," and add to end of line the following:

Provided, if any participating bank shall at any time go into voluntary liquidation the bank commissioner shall, after deducting all liabilities from said indemnity fund, determine what proportion of said fund belonging to said liquidating bank, and he shall draw his warrant for and pay said bank the sum so found to belong to it.

Also, in line 62, by inserting after the word "if" the words "the failure of any bank where depositors are indemnified by the provisions of this act render it."

In section 3, by inserting, after the word "banks" in line 5, the words "who may be indemnified under the provision of this act."

In section 5, line 3, by inserting, after the word "expense," the words "not exceeding the regular examination fee charged provided by law for state banks."

In section 6, line 7, by striking out the word "more" and inserting the word "less" in lieu thereof.

Also, by inserting the following as section 7:

SEC. 7. Provided, whenever any bank whose depositors have been indemnified by the said "bank depositors' indemnity fund," as herein provided, shall withdraw from its right to have its depositors indemnified by said fund, it shall at once place the following notice above every place in its banking building where deposits are received: "The depositors of this bank are not indemnified by the bank depositors' indemnity fund." Said notice shall be printed in bold type, and shall be kept so posted for not less than ninety days. Provided, that any violation of this section shall be punished in the same manner as is provided in section 6 of this act.

Also, by inserting the following as section 8:

SEC. 8. Every officer, agent, clerk or employee of any bank who shall represent that the depositors of such bank are indemnified by the said bank depositors' indemnity fund, when the depositors are not so indemnified, shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail not less than thirty days and not more than ninety days.

Section 7 to become section 9.

And that it be passed as amended, subject to amendment and debate.

That substitute for House bill No. 123, An act providing for the security of depositors in the incorporated state banks of Kansas, and for the enforcement of this act, be amended as follows:

In section 1, line 2, after the word "state" and before the word "ex-

ceed" by inserting "not participating in the bank depositors' indemnity fund," and strike out the words "the capital stock and" and insert in lieu thereof "double the amount of capital stock and." In line 7 strike out the word "deposits" and insert "average amount of its deposits of the last preceding year as shown by the published statements of such bank"; and in line 8, after the word "surplus," insert "and double liability under its statute."

In section 5, line 3, after the word "stock," insert "and additional legal liability thereon."

In section 7, line 5, strike out the words "by the bank commissioner," and in line 13 insert the words "and courts" after the word "commissioner"; and in same line strike out the word "he" and insert "they" in lieu thereof.

And that it be passed as amended, subject to amendment and debate.

W. E. ARCHER, *Chairman.*

Mr. Archer moved the adoption of the report of the committee of the whole, which motion prevailed.

COMMITTEE OF THE WHOLE.

Mr. Ham moved that the House go into committee of the whole for the consideration of bills on the Calendar under the head of "Special Orders." A vote being had, the motion prevailed.

The House went into committee of the whole, with Mr. Westcott in the chair.

After some time spent therein the committee rose, and through the chairman submitted the following report:

MR. SPEAKER: The committee of the whole House have had under consideration bills on the Calendar under the head of "Special Orders," and I am directed to report as follows:

Recommend that House bill No. 111, An act relating to banks and banking, be amended as follows:

In section 1, lines 7 and 8, strike out the words "general creditors or"; also, in line 10 strike out the words "general creditors or"; in line 11 strike out the words "creditors and."

In section 2, line 3, strike out the word "six" and insert the word "ten" in lieu thereof.

In section 3, line 1, strike out the word "majority" and insert the word "two-thirds."

In section 5, line 4, insert the words "two-thirds of whom shall be residents of the state of Kansas" after the word "persons."

In section 7, line 3, after the word "Kansas" insert "except United States government bonds."

In section 8, line 4, strike out the word "or" after the word "securities" and insert a comma in lieu thereof, and add after the word "mortgages" the words "or United States government bonds."

In section 9, line 2, strike out the word "or" and insert the word "of" in lieu thereof; also, in line 7, strike out the words "or general creditors," and in lines 10 and 11 strike out the words "or general creditors."

Insert the following as section 10:

SEC. 10. That whenever the deposits of any bank are insured by any deposit insurance company organized under this act, county funds may be deposited with such insured bank without other security if the board of county commissioners approve of the same; and in such cases the provisions of sections 1703 and 1704 of the General Statutes of Kansas of 1901, relating to county deposits, shall not apply.

Section 10 becomes section 11.

Also, in section 10, lines 10 and 15, strike out the word "thirty" and

insert the word "ninety"; and by adding to the end of said section the following:

Provided, that at the time the insurance company notifies the state bank commission or comptroller of the currency it shall also notify all the depositors of such bank by notice published twice in some paper printed and of general circulation in the county in which said bank is located.

In section 11, line 8, insert after the word "notify" the words "the bank" and a comma.

And the committee ask leave to sit again.

S. C. WESTCOTT, *Chairman*.

Mr. Westcott moved the adoption of the report of the committee of the whole, which motion prevailed.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed by the Senate to inform the House that the Senate has passed Senate bill No. 65, An act concerning assessment and taxation, and to amend section 12, article 3, of chapter 107 of the General Statutes of 1901, being section 7515 thereof.

Also, Senate bill No. 36, An act relating to cities of the first class.

Also, Senate bill No. 72, An act to amend section 1, chapter 146, of the Session Laws of the state of Kansas of 1891, relating to mechanics' liens.

Also, Senate bill No. 69, An act amending chapter 254 of the Session Laws of 1901, the same being an act entitled "An act to create a State Board of Medical Registration and Examination, and to regulate the practice of medicine, surgery and osteopathy in the state of Kansas, to provide penalties for the violation thereof, and repealing chapter 68 of Session Laws of 1870."

Also, Senate bill No. 48, An act relating to the powers of judges in vacation.

Also, Senate bill No. 124, An act to amend section 25 of chapter 408 of Session Laws of 1907, the same being an act to create a Tax Commission, defining its powers and duties, and to repeal said original section.

Also, Senate bill No. 125, An act authorizing and empowering the board of education of the city of Frontenac, Kan., to levy a tax for the support of the schools of said city, not exceeding thirty mills on the dollar for any one year.

Also, Senate bill No. 103, An act to amend sections 6225 and 6226 of the General Statutes of 1901.

Also, has amended, and passed as amended, House bill No. 45, An act relating to the acquisition and operation by cities of the first class having more than 50,000 population of the water-works plant and property of any person, company or corporation, in any case where the franchise of such person, company or corporation to supply any such city of the first class with water has expired, or may expire.

Also, Senate bill No. 118, An act providing an appropriation to be used by the State Entomological Commission for the extermination of green bug.

Also, has non-concurred in House amendments to Senate bill No. 91.

The same are herewith transmitted. W. S. KRETSINGER, *Secretary*.

The above Senate bills were thereupon read the first time.

Mr. Bird moved to adjourn to ten o'clock to-morrow, which motion prevailed.

ELEVENTH DAY.

MORNING SESSION.

HALL OF THE HOUSE OF REPRESENTATIVES,
January 28, 1908—10 A. M.

The House convened with the speaker in the chair.

The roll was called and 118 gentlemen were present and answered to their names.

Gentlemen absent were: Messrs. Creech, Hendricks, Ingalls, and Saunders.

Gentlemen absent by leave were: Messrs. Creech, Hendricks, and Ingalls.

Quorum present.

Prayer by the chaplain.

READING AND CORRECTION OF THE JOURNAL.

Mr. Wheeler moved that the rules be suspended, and that the further reading of the Journal be dispensed with and that the same be referred to the Committee on Supervision of the Journal, which motion prevailed.

PRESENTATION OF PETITIONS.

Mr. Cottingham presented House petition No. 6, Relating to the guaranty deposit law, signed by 200 persons, which was referred to the Committee on Banks and Banking.

Also, House petition No. 7, Relating to the guaranty deposit law, signed by 100 persons. Referred to the Committee on Banks and Banking.

INTRODUCTION OF BILLS.

The following bill was introduced and read the first time:

By Committee on Education: House bill No. 138, An act concerning the establishing and maintenance of free common schools in cities of the first class and prescribing certain powers and duties of the boards of education of said cities in relation thereto, and repealing all acts and parts of acts in conflict therewith.

Mr. Miller moved that an emergency be declared, the rules suspended, and that House bill No. 138 be read the second time, which motion prevailed.

House bill No. 138, An act concerning the establishing and maintenance of free common schools in cities of the first class and prescribing certain powers and duties of the boards of education of said cities in relation thereto, and repealing all acts and parts of acts in conflict therewith, was thereupon

read the second time and referred to the committee of the whole.

SECOND READING AND REFERENCE OF BILLS.

The following Senate bills were read the second time and referred to committees indicated:

Ways and Means:

Senate bill No. 118, An act providing an appropriation to be used by the State Entomological Commission for the extermination of green bug.

Judiciary:

Senate bill No. 48, An act relating to the powers of judges in vacation.

Senate bill No. 72, An act to amend section 1, chapter 146, of the Session Laws of the state of Kansas of 1891, relating to mechanics' liens.

Senate bill No. 103, An act to amend sections 6225 and 6226 of the General Statutes of 1901.

Senate bill No. 69, An act amending chapter 254 of the Session Laws of 1901, the same being an act entitled "An act to create a State Board of Medical Registration and Examination, and to regulate the practice of medicine, surgery and osteopathy in the state of Kansas, to provide penalties for the violation thereof, and repealing chapter 68 of Session Laws of 1870."

Senate bill No. 125, An act authorizing and empowering the board of education of the city of Frontenac, Kan., to levy a tax for the support of the schools of said city, not exceeding thirty mills on the dollar for any one year.

Assessment and Taxation:

Senate bill No. 65, An act concerning assessment and taxation, and to amend section 12, article 3, of chapter 107 of the General Statutes of 1901, being section 7515 thereof.

Cities of the First Class:

Senate bill No. 36, An act authorizing cities of the first class having a population of more than 50,000 to purchase, construct and contract for the construction of water-works, gas, electric-light and heating plants, and to issue bonds for such purposes.

Committee of the Whole:

Senate bill No. 124, An act to amend section 25 of chapter 408 of Session Laws of 1907, the same being an act to create a Tax Commission, defining its powers and duties, and to repeal said original section.

RESOLUTION OFFERED ON A PREVIOUS DAY.

House concurrent resolution No. 9, Relating to creating a volunteer retired list, was read the second time.

Mr. Stubbs moved the adoption of the resolution, which motion prevailed.

REPORT OF STANDING COMMITTEE.

Mr. Mitchell, chairman *pro tem.* of the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 12, An act to authorize the erection and maintenance of water-works plants in the state of Kansas, have had the same under consideration and direct me to report the bill back to the House with the recommendation that it be amended as follows:

In section 1, line 1, strike out the words "or persons." In section 3, after the figure "3," strike out all of section and in lieu thereof insert the following:

Every corporation owning land upon which it has a dam erected across any watercourse thereof, or owning any land upon which it desires to erect a dam across any stream thereon, for the purposes mentioned in section 1 of this act, may exercise the right of eminent domain for diverting and using such water for such purposes, and for overflowing the land of others and for injuries to riparian owners, by making compensation therefor. Such corporations desiring to exercise such right shall file a plat and blue-print showing the location of such stream or streams, of such dam of the stream of water to be diverted, the lands subject to overflow, the riparian owners whose lands are damaged by the diversion of such water, with the clerk of the district court of the county in which such dam is located, together with a petition setting forth the facts, the names as near as practicable of the owners of the lands affected by such proceedings. The judge of the district court of the county in which such dam is located shall appoint three disinterested resident householders of the county, who shall take an oath to faithfully discharge their duties, and such persons, who shall be designated as commissioners, shall give personal notice in writing to all parties affected by such proceedings, as near as practicable, which notice shall be given thirty days prior to the time they are to enter upon the discharge of their duties in assessing such damages, and shall also publish in a newspaper of general circulation in the county where the dam is or is to be located a notice giving the names of the parties affected by such proceedings, as near as practicable, and the time when they will enter upon the discharge of their duties in making and awarding damages; such notice shall be published for four consecutive weeks in some newspaper of general circulation published in such county. The commissioners shall, at the time and place designated in said notice, view the premises, take such other steps as are necessary to ascertain the true facts, and award such damages as in their judgment is right and proper; said award shall be in writing and filed with the clerk of the district court. And persons feeling themselves aggrieved by such award of damages may, within twenty days after such award is filed with the clerk, appeal to the district court in the same manner as appeals are taken from judgment of justices of the peace to the district court. Pending such appeal of the owners of such dams shall file a bond with the clerk of the court, to be approved by the clerk of said court, conditioned to pay the judgment of the court to be awarded upon final judgment and all costs. They may in the meantime occupy said property; provided, that before any court shall appoint commissioners as herein provided, such corporation, as provided for in section 1, making application shall file a good and sufficient bond, to be approved by the clerk of said court, to pay all costs of such proceedings; provided further, that except as herein provided this act is not to be construed as in any way changing the common law or statutory law now in force in this state relating to surface-waters, water-courses, diversion of waters or the rights of riparian owners.

That section 4 be stricken out, and section 5 be renumbered section 4. And that said bill be passed as amended.

A. C. MITCHELL, *Chairman pro tem.*

ORIGINAL MOTIONS AND RESOLUTIONS.

Mr. Enright moved that the House do non-concur in Senate amendments to House bill No. 45, and ask that a conference committee be appointed, which motion prevailed.

Mr. Westcott moved that an emergency be declared, the rules suspended, and that Senate bill No. 69, now on the Calendar under "Senate Bills on Second Reading," be substituted for House bill No. 85, now on the Calendar under "Bills on

Third Reading," and that House bill No. 85 be stricken from the Calendar, which motion prevailed.

Mr. Westcott moved that an emergency be declared, the rules suspended, and that Senate bill No. 69 be placed on third reading, subject to amendment and debate, which motion prevailed.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,

TOPEKA, January 28, 1908.

To the House of Representatives: I have received and approved the following House bills:

No. 54, An act concerning assessment and taxation, and to amend section 17 of chapter 408 of the Session Laws of 1907, and to repeal sections 7611 and 7702 of the General Statutes of 1901.

No. 56, An act to amend sections 3, 4 and 10 of chapter 502 of the Session Laws of 1905, and to provide for the assessment and valuation for purposes of taxation of telegraph, telephone companies, oil pipe-line companies and gas pipe-line companies, which are local in their character and confined to the limits of a single county.

No. 100, An act amending section 4 and section 10 of chapter 397 of the Session Laws of Kansas of 1905, and repealing said original sections 4 and 10.

E. W. HOCH, Governor.

THIRD READING OF BILLS.

Senate bill No. 69, An act amending chapter 254 of the Session Laws of 1901, the same being an act entitled "An act to create a State Board of Medical Registration and Examination, and to regulate the practice of medicine, surgery and osteopathy in the state of Kansas, to provide penalties for the violation thereof, and repealing chapter 68 of Session Laws of 1870," was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 104, nays 0; absent or not voting, 18.

Members voting in favor of the passage of the bill were: Messrs. Adams, Archer, Banks, Beeson, Berryman, Bird, Blaine, Boggs, Boyle, Brandon, Brierley, Chatten, Clark, Cole, Cottingham, Cowan, Craddock, Crumly, Cunningham, Curran, Davis, Davison of Marion, Dennis, Edwards, Elstun, Enright, Finley, Fisher, Flanigan, Foley, Fraser, Gants, Gesner, Gordon, Grass, Guyer, Ham, Hart, Helmick, Holden of Wichita, Husey, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Milligan, Mitchell, Montee, Morgan of Reno, Murphy, Myers, Neihart, O'Conner, Oshant, Padgett, Peter, Pohlman, Polley, Pomeroy, Potts, Price, Rall, Reynard, Rhodes, Rich, Richardson, Richmond, Rochester, Rockefeller, Roush, Schmidt, Shepard, Sherer, Sipple, Skinner, Sourbeer, Stannard, Stockton, Stubbs, Sweeny, Swope, Tannahill, Taylor, Thompson, Tredway, Umholtz, Wells, Westcott, Wheeler, White, Wilson, and Woodhouse.

Members absent or not voting were: Messrs. Brown, Creech, Davidson of Sedgwick, Haskins, Hendricks, Holdren of Montgomery, Ingalls, Jones, Morgan of Hodgeman, Patterson,

Plumb, Ransom, Ryan, Saunders, Snyder, Stone, Warren, and Mr. Speaker Simmons.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 101, An act supplemental to chapter 286 of the Session Laws of 1901, chapter 340 of the Session Laws of 1905, and chapter 268 of the Session Laws of 1907, concerning the time in which the orders made by the Board of Railroad Commissioners shall take effect and remain in force, relative to railroad freight and passenger schedules, rates, tariffs, and classifications, and providing penalties for the failure or neglect of the railroads to obey such orders, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 104, nays 0; absent or not voting, 18.

Members voting in favor of the passage of the bill were: Messrs. Adams, Archer, Banks, Beeson, Berryman, Bird, Blaine, Boggs, Boyle, Brandon, Brierley, Chatten, Clark, Cole, Cottingham, Cowan, Craddock, Crumly, Cunningham, Curran, Davis, Davison of Marion, Dennis, Edwards, Elstun, Enright, Finley, Fisher, Flanigan, Foley, Fraser, Gants, Gesner, Gordon, Grass, Guyer, Ham, Hart, Helmick, Holden of Wichita, Husey, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Milligan, Mitchell, Montee, Morgan of Reno, Murphy, Myers, Neihart, O'Conner, Oshant, Padgett, Peter, Pohlman, Polley, Pomeroy, Potts, Price, Rall, Reynard, Rhodes, Rich, Richardson, Richmond, Rochester, Rockefeller, Roush, Schmidt, Shepard, Sherer, Sipple, Skinner, Sourbeer, Stannard, Stockton, Stubbs, Sweeny, Swope, Tannahill, Taylor, Thompson, Tredway, Umholtz, Wells, Westcott, Wheeler, White, Wilson, and Woodhouse.

Members absent or not voting were: Messrs. Brown, Creech, Davidson of Sedgwick, Haskins, Hendricks, Holdren of Montgomery, Ingalls, Jones, Morgan of Hodgeman, Patterson, Plumb, Ransom, Ryan, Saunders, Snyder, Stone, Warren, and Mr. Speaker Simmons.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 20, An act relating to the stopping of passenger-trains for receiving and letting off passengers at railroad stations in towns or cities in Labette county, Kansas, having a population of 1000 or more, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 104, nays 0; absent or not voting, 18.

Members voting in favor of the passage of the bill were: Messrs. Adams, Archer, Banks, Beeson, Berryman, Bird, Blaine, Boggs, Boyle, Brandon, Brierley, Chatten, Clark, Cole,

Cottingham, Cowan, Craddock, Crumly, Cunningham, Curran, Davis, Davison of Marion, Dennis, Edwards, Elstun, Enright, Finley, Fisher, Flanigan, Foley, Fraser, Gants, Gesner, Gordon, Grass, Guyer, Ham, Hart, Helmick, Holden of Wichita, Husey, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Milligan, Mitchell, Montee, Morgan of Reno, Murphy, Myers, Neihart, O'Conner, Oshant, Padgett, Peter, Pohlman, Polley, Pomeroy, Potts, Price, Rall, Reynard, Rhodes, Rich, Richardson, Richmond, Rochester, Rockefeller, Roush, Schmidt, Shepard, Sherer, Sipple, Skinner, Sourbeer, Stannard, Stockton, Stubbs, Sweeny, Swope, Tannahill, Taylor, Thompson, Tredway, Umholtz, Wells, Westcott, Wheeler, White, Wilson, and Woodhouse.

Members absent or not voting were: Messrs. Brown, Creech, Davidson of Sedgwick, Haskins, Hendricks, Holdren of Montgomery, Ingalls, Jones, Morgan of Hodgeman, Patterson, Plumb, Ransom, Ryan, Saunders, Snyder, Stone, Warren, and Mr. Speaker Simmons.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 115, An act to amend section 8, chapter 268, Session Laws of 1907, etc., was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 104, nays 0; absent or not voting, 18.

Members voting in favor of the passage of the bill were: Messrs. Adams, Archer, Banks, Beeson, Berryman, Bird, Blaine, Boggs, Boyle, Brandon, Brierley, Chatten, Clark, Cole, Cottingham, Cowan, Craddock, Crumly, Cunningham, Curran, Davis, Davison of Marion, Dennis, Edwards, Elstun, Enright, Finley, Fisher, Flanigan, Foley, Fraser, Gants, Gesner, Gordon, Grass, Guyer, Ham, Hart, Helmick, Holden of Wichita, Husey, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Milligan, Mitchell, Montee, Morgan of Reno, Murphy, Myers, Neihart, O'Conner, Oshant, Padgett, Peter, Pohlman, Polley, Pomeroy, Potts, Price, Rall, Reynard, Rhodes, Rich, Richardson, Richmond, Rochester, Rockefeller, Roush, Schmidt, Shepard, Sherer, Sipple, Skinner, Sourbeer, Stannard, Stockton, Stubbs, Sweeny, Swope, Tannahill, Taylor, Thompson, Tredway, Umholtz, Wells, Westcott, Wheeler, White, Wilson, and Woodhouse.

Members absent or not voting were: Messrs. Brown, Creech, Davidson of Sedgwick, Haskins, Hendricks, Holdren of Montgomery, Ingalls, Jones, Morgan of Hodgeman, Patterson, Plumb, Ransom, Ryan, Saunders, Snyder, Stone, Warren, and Mr. Speaker Simmons.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 128, An act authorizing cities of the third

class to fund their outstanding floating indebtedness in certain cases, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 104, nays 0; absent or not voting, 18.

Members voting in favor of the passage of the bill were. Messrs. Adams, Archer, Banks, Beeson, Berryman, Bird, Blaine, Boggs, Boyle, Brandon, Brierley, Chatten, Clark, Cole, Cottingham, Cowan, Craddock, Crumly, Cunningham, Curran, Davis, Davison of Marion, Dennis, Edwards, Elstun, Enright, Finley, Fisher, Flanigan, Foley, Fraser, Gants, Gesner, Gordon, Grass, Guyer, Ham, Hart, Helmick, Holden of Wichita, Husey, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Milligan, Mitchell, Montee, Morgan of Reno, Murphy, Myers, Neihart, O'Conner, Oshant, Padgett, Peter, Pohlman, Polley, Pomeroy, Potts, Price, Rall, Reynard, Rhodes, Rich, Richardson, Richmond, Rochester, Rockefeller, Roush, Schmidt, Shepard, Sherer, Sipple, Skinner, Sourbeer, Stannard, Stockton, Stubbs, Sweeny, Swope, Tannahill, Taylor, Thompson, Tredway, Umholtz, Wells, Westcott, Wheeler, White, Wilson, and Woodhouse.

Members absent or not voting were: Messrs. Brown, Creech, Davidson of Sedgwick, Haskins, Hendricks, Holdren of Montgomery, Ingalls, Jones, Morgan of Hodgeman, Patterson, Plumb, Ransom, Ryan, Saunders, Snyder, Stone, Warren, and Mr. Speaker Simmons.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 124, An act providing for the enrolment of civil war and Spanish-American war veterans, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 104, nays 0; absent or not voting, 18.

Members voting in favor of the passage of the bill were: Messrs. Adams, Archer, Banks, Beeson, Berryman, Bird, Blaine, Boggs, Boyle, Brandon, Brierley, Chatten, Clark, Cole, Cottingham, Cowan, Craddock, Crumly, Cunningham, Curran, Davis, Davison of Marion, Dennis, Edwards, Elstun, Enright, Finley, Fisher, Flanigan, Foley, Fraser, Gants, Gesner, Gordon, Grass, Guyer, Ham, Hart, Helmick, Holden of Wichita, Husey, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Milligan, Mitchell, Montee, Morgan of Reno, Murphy, Myers, Neihart, O'Conner, Oshant, Padgett, Peter, Pohlman, Polley, Pomeroy, Potts, Price, Rall, Reynard, Rhodes, Rich, Richardson, Richmond, Rochester, Rockefeller, Roush, Schmidt, Shepard, Sherer, Sipple, Skinner, Sourbeer, Stannard, Stockton, Stubbs, Sweeny, Swope, Tannahill, Taylor, Thompson, Tredway, Umholtz, Wells, Westcott, Wheeler, White, Wilson, and Woodhouse.

Members absent or not voting were: Messrs. Brown, Creech, Davidson of Sedgwick, Haskins, Hendricks, Holdren of Montgomery, Ingalls, Jones, Morgan of Hodgeman, Patterson, Plumb, Ransom, Ryan, Saunders, Snyder, Stone, Warren, and Mr. Speaker Simmons.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 102, An act for the protection of antelopes, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 104, nays 0; absent or not voting, 18.

Members voting in favor of the passage of the bill were: Messrs. Adams, Archer, Banks, Beeson, Berryman, Bird, Blaine, Boggs, Boyle, Brandon, Brierley, Chatten, Clark, Cole, Cottingham, Cowan, Craddock, Crumly, Cunningham, Curran, Davis, Davison of Marion, Dennis, Edwards, Elstun, Enright, Finley, Fisher, Flanigan, Foley, Fraser, Gants, Gesner, Gordon, Grass, Guyer, Ham, Hart, Helmick, Holden of Wichita, Husey, Hutcheson, Jeffries, Johnson, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Miller, Milligan, Mitchell, Montee, Morgan of Reno, Murphy, Myers, Neihart, O'Conner, Oshant, Padgett, Peter, Pohlman, Polley, Pomeroy, Potts, Price, Rall, Reynard, Rhodes, Rich, Richardson, Richmond, Rochester, Rockefeller, Roush, Schmidt, Shepard, Sherer, Sipple, Skinner, Sourbeer, Stannard, Stockton, Stubbs, Sweeny, Swope, Tannahill, Taylor, Thompson, Tredway, Umholtz, Wells, Westcott, Wheeler, White, Wilson, and Woodhouse.

Members absent or not voting were: Messrs. Brown, Creech, Davidson of Sedgwick, Haskins, Hendricks, Holdren of Montgomery, Ingalls, Jones, Morgan of Hodgeman, Patterson, Plumb, Ransom, Ryan, Saunders, Snyder, Stone, Warren, and Mr. Speaker Simmons.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 28, An act relating to intoxicating liquors, and supplemental to article 14, chapter 31, of the General Statutes of 1901, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 76, nays 17; absent or not voting, 29.

Members voting in favor of the passage of the bill were: Messrs. Archer, Banks, Beeson, Berryman, Boggs, Boyle, Brandon, Brierley, Clark, Cole, Cottingham, Craddock, Crumly, Cunningham, Curran, Davidson of Sedgwick, Davis, Davison of Marion, Dennis, Edwards, Finley, Fisher, Foley, Fraser, Gants, Gesner, Grass, Guyer, Ham, Helmick, Holdren of Montgomery, Kinnison, Kirtland, Lander, Lehman, Leland, McGillivray, Mayhew, Mercer, Miller, Milligan, Mitchell, Morgan of Reno, Murphy, Myers, Neihart, Padgett, Patterson,

Polley, Potts, Price, Rall, Reynard, Rhodes, Rich, Richardson, Richmond, Roush, Ryan, Sherer, Sipple, Skinner, Sourbeer, Stannard, Stockton, Stone, Stubbs, Sweeny, Swope, Tannahill, Taylor, Thompson, Tredway, Wells, White, and Wilson.

Members voting in the negative were: Messrs. Chatten, Cowan, Flanigan, Gordon, Hart, Husey, Johnson, Kiff, Martin, Montee, O'Conner, Oshant, Pohlman, Pomeroy, Rockefeller, Westcott, and Wheeler.

Members absent or not voting were: Messrs. Adams, Bird, Blaine, Brown, Creech, Elstun, Enright, Haskins, Hendricks, Holden of Wichita, Hutcheson, Ingalls, Jeffries, Jones, Lennen, Leydig, Morgan of Hodgeman, Peter, Plumb, Ransom, Rochester, Saunders, Schmidt, Shepard, Snyder, Umholtz, Warren, Woodhouse, and Mr. Speaker Simmons.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 130, An act to provide for a bounty on gopher, ground-mole and rabbit scalps, to require a license to carry a gun, providing a penalty for the violation of this act, requiring the bounty on rabbit scalps to be paid out of the license fund, and repealing all acts and parts of acts in conflict with this act, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 64, nays 41; absent or not voting, 17.

Members voting in favor of the passage of the bill were: Messrs. Adams, Archer, Banks, Beeson, Berryman, Bird, Blaine, Boyle, Brandon, Brierley, Brown, Clark, Cottingham, Cowan, Dennis, Edwards, Enright, Finley, Fisher, Foley, Fraser, Gants, Gesner, Gordon, Grass, Guyer, Holden of Wichita, Holdren of Montgomery, Husey, Hutcheson, Jeffries, Kiff, Kirtland, Lander, Leland, Lennen, Martin, Mercer, Milligan, Mitchell, Montee, Morgan of Reno, Murphy, Myers, O'Conner, Peter, Plumb, Potts, Ransom, Reynard, Rhodes, Ryan, Sherer, Skinner, Sourbeer, Stannard, Stone, Sweeny, Thompson, Westcott, Wheeler, White, Wilson, and Woodhouse.

Members voting in the negative were: Messrs. Boggs, Chatten, Cole, Craddock, Crumly, Cunningham, Curran, Davidson of Sedgwick, Davis, Davison of Marion, Elstun, Flanigan, Ham, Hart, Johnson, Kinnison, Lehman, McGillivray, Mayhew, Miller, Neihart, Oshant, Padgett, Patterson, Pohlman, Polley, Pomeroy, Price, Rall, Rich, Richardson, Richmond, Rockefeller, Sipple, Snyder, Stockton, Stubbs, Swope, Taylor, Umholtz, and Wells.

Members absent or not voting were: Messrs. Creech, Haskins, Helmick, Hendricks, Ingalls, Jones, Leydig, Morgan of Hodgeman, Rochester, Roush, Saunders, Schmidt, Shepard, Tannahill, Tredway, Warren, and Mr. Speaker Simmons.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 43, An act to create the circuit court of Wyandotte county, to define the powers and jurisdiction of such court and of the judge thereof, to provide for the holding of the terms of such court, and for the transfer from the district court and court of common pleas of Wyandotte county of certain actions to said circuit court and from the circuit court to the district court and court of common pleas, and for the appointment and election of a judge and clerk thereof, was read the third time.

Mr. Enright moved to amend section 10, lines 1 and 2, by striking out the words "immediately upon the taking effect of this act" and inserting in lieu thereof the words "prior to the first Wednesday in March, 1908"; also, to amend section 12, lines 1 and 2, by striking out the words "immediately upon the taking effect of this act" and inserting in lieu thereof the words "prior to the first Wednesday in March, 1908," which motion prevailed.

The question being, Shall the bill pass as amended? the roll was called, with the following result: Yeas 73, nays 4; absent or not voting, 45.

Members voting in favor of the passage of the bill were: Messrs. Archer, Beeson, Berryman, Bird, Blaine, Boyle, Brandon, Brierley, Brown, Cole, Cottingham, Cowan, Cunningham, Curran, Davidson of Sedgwick, Davison of Marion, Edwards, Elstun, Enright, Finley, Flanigan, Foley, Fraser, Gants, Gesner, Gordon, Guyer, Ham, Hart, Holdren of Montgomery, Husey, Hutcheson, Jeffries, Johnson, Kirtland, Lander, Leland, Lennen, Martin, Mayhew, Miller, Milligan, Mitchell, Montee, Morgan of Reno, Murphy, Neihart, O'Conner, Padgett, Peter, Plumb, Pohlman, Polley, Potts, Rall, Ransom, Reynard, Roush, Ryan, Shepard, Sherer, Snyder, Sourbeer, Swope, Thompson, Tredway, Umholtz, Wells, Westcott, Wheeler, White, Wilson, and Woodhouse.

Members voting in the negative were: Messrs. Banks, Crumly, Grass, and Skinner.

Members absent or not voting were: Messrs. Adams, Boggs, Chatten, Clark, Craddock, Creech, Davis, Dennis, Fisher, Haskins, Helmick, Hendricks, Holden of Wichita, Ingalls, Jones, Kiff, Kinnison, Lehman, Leydig, McGillivray, Mercer, Morgan of Hodgeman, Myers, Oshant, Patterson, Pomeroy, Price, Rhodes, Rich, Richardson, Richmond, Rochester, Rockefeller, Saunders, Schmidt, Sipple, Stannard, Stockton, Stone, Stubbs, Sweeny, Tannahill, Taylor, Warren, and Mr. Speaker Simmons.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

Mr. Enright moved that the House take a recess until two P. M., which motion prevailed.

AFTERNOON SESSION.

The House convened at two o'clock, with the speaker in the chair.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed by the Senate to inform the House that the Senate has passed Senate bill No. 117, An act amending section 1 of chapter 305 of the Session Laws of Kansas of 1901, and repealing said original section.

Also, has acceded to the request of the House for a conference committee on House bill No. 45, and has appointed as conferees on the part of the Senate Senators Getty and Martin of Bourbon.

The bill is herewith transmitted. W. S. KRETSINGER, *Secretary*.

The above Senate bill was thereupon read the first time.

Mr. Speaker Simmons appointed as House conferees on House bill No. 45 Messrs. Enright, Martin, and Padgett.

REPORTS OF STANDING COMMITTEES.

Mr. Brandon, chairman of the Committee on Banks and Banking, asked unanimous consent to submit the following report:

MR. SPEAKER: Your Committee on Banks and Banking, to whom was referred Senate bill No. 33, An act designating the state treasurer as a fiscal agent of the state of Kansas, and regulating the same, and amending and repealing section 3155, General Statutes of 1901, and all acts in conflict therewith, have had the same under consideration, and instruct me to report the bill back to the Senate with the recommendation that it be passed.

Also, House bill No. 116, An act to amend sections 12, 13 and 23, chapter 47 of the Session Laws of 1897, entitled "An act relating to banks and banking, providing for the organization, management and control, regulation and supervision of banks, and providing penalties for violation of the provisions of this act," and repealing sections 12, 13 and 23, chapter 47 of the Session Laws of 1897, and recommend that it be amended by striking out section 1. That section 2 be numbered 1; that section 3 be numbered section 2; that section 4 be numbered section 3; and that section 5 be numbered section 4. By striking out the word "twenty" in the fourth line of section 2 of the bill and substituting therefor the word "fifteen"; by striking out the word "four" in line 16 of section 2 and substituting therefor the words "a majority"; by striking out line 20 and inserting in lieu thereof the following: "fine of not less than \$100 nor more than \$500 or by imprisonment in the county jail not less than thirty days nor more than six months, or both such fine and imprisonment, at the discretion of the court." That section 3 of the bill be amended by striking out the word "four" at the beginning of line 5 and substituting therefor the word "two." That section 4 be amended by striking out the figures "12" in line 1. That the title be amended by striking out the figures "12" in lines 1 and 5. And that the bill be passed as amended. S. H. BRANDON, *Chairman*.

Mr. Holdren, chairman of the Committee on Cities of the Second Class, asked unanimous consent to submit the following report:

MR. SPEAKER: Your Committee on Cities of the Second Class, to whom was referred House bill No. 86, An act amending section 981,

General Statutes, 1901, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be not passed.

J. W. HOLDREN, *Chairman.*

THIRD READING OF BILLS.

Substitute for House bill No. 13, An act providing for the security of depositors in the incorporated banks of Kansas, creating a "bank depositors' indemnity fund," and providing regulations therefor, was read the third time.

Mr. Padgett moved to amend the title by striking out the word "and," just before the word "providing," and at the end insert the words: "and providing penalties for the violation thereof," which motion prevailed.

The question being, Shall the bill pass? the roll was called, with the following result: Yeas 78, nays 32; absent or not voting, 12.

Members voting in favor of the passage of the bill were: Messrs. Adams, Beeson, Bird, Blaine, Boggs, Boyle, Brierley, Cole, Cowan, Craddock, Cunningham, Curran, Davis, Dennis, Elstun, Enright, Finley, Flanigan, Foley, Fraser, Gants, Gordon, Ham, Hart, Helmick, Holden of Wichita, Holdren of Montgomery, Husey, Hutcheson, Jeffries, Jones, Kinnison, Kirtland, Lehman, Leland, Lennen, McGillivray, Martin, Mercer, Miller, Milligan, Mitchell, Morgan of Reno, Myers, Neihart, Oshant, Padgett, Peter, Plumb, Pohlman, Pomeroy, Price, Rall, Ransom, Reynard, Rich, Richardson, Richmond, Roush, Schmidt, Sipple, Skinner, Sourbeer, Stannard, Stockton, Stone, Stubbs, Sweeny, Swope, Tannahill, Taylor, Thompson, Tredway, Umholtz, Wheeler, White, Wilson, and Mr. Speaker Simmons.

Members voting in the negative were: Messrs. Archer, Berryman, Brandon, Brown, Clark, Cottingham, Crumly, Davidson of Sedgwick, Davison of Marion, Edwards, Gesner, Grass, Guyer, Johnson, Kiff, Lander, Leydig, Mayhew, Montee, Murphy, O'Conner, Patterson, Polley, Potts, Rhodes, Rockefeller, Shepard, Sherer, Snyder, Wells, Westcott, and Woodhouse.

Members absent or not voting were: Messrs. Banks, Chattem, Creech, Fisher, Haskins, Hendricks, Ingalls, Morgan of Hodgeman, Rochester, Ryan, Saunders, and Warren.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title as amended was agreed to.

EXPLANATION OF VOTE.

Mr. Davidson explained his vote on substitute for House bill No. 13, as follows:

I expected this Legislature would agree upon the guaranty deposit law, that it would be practicable, and would by its provisions create mutual confidence between banker and depositor. I believe this guaranty deposit bill is impracticable and inoperative, and will be unsatisfactory

to the banker, expensive to the borrower, and will not establish confidence in the depositor, for the following reasons: First, by not insuring the daily balances drawing a limited rate of interest; second, that it cuts the amount of deposits in the state banks to so low a total that the million-dollar fund at one-fifth of one per cent. will never be reached, and this assessment will become perpetual; third, the assessment is not equitable, in that it charges the same for a poor risk as for a good one; fourth, the bankers stand good for losses but have no voice in the examination of the banks they guarantee; fifth, too much power and responsibility is placed in the hands of one man, who may be appointed by the governor to the office of bank commissioner for political reasons.

I believe in the principle underlying the drawing of this bill, but I cannot support this measure. I vote No. C. L. DAVIDSON.

Substitute for House bill No. 123, An act providing for the security of depositors in the incorporated state banks of Kansas, and for the enforcement of this act, was read the third time.

Mr. Wells moved to amend by inserting in section 1, line 7, after the word "to," the words "fifty per cent of"; and in section 2, line 5, after word "companies," the words "chartered and operating under the laws of this state," which motion prevailed.

Mr. Padgett moved to amend by adding a new section, numbered 6, as follows:

SEC. 6. Provided, that where any bank governed by the provision of this act shall have on deposit money belonging to any state, city or other municipality or board of education of any city for which it has already given security to secure such deposits, such deposits shall not be included in the amount for which such bank shall be required to give security under the provisions of this act.

Also, to have section 6 read section 7 and section 7 read section 8, which motion prevailed.

The question being, Shall the bill pass as amended? the roll was called, with the following result: Yeas 76, nays 21; absent or not voting, 25.

Members voting in favor of the passage of the bill were: Messrs. Adams, Archer, Banks, Beeson, Bird, Blaine, Boggs, Boyle, Brandon, Brierley, Clark, Cole, Cottingham, Cowan, Craddock, Cunningham, Curran, Davis, Dennis, Edwards, Elstun, Enright, Fisher, Flanigan, Fraser, Gordon, Grass, Ham, Holdren of Montgomery, Hutcheson, Johnson, Jones, Kiff, Kinnison, Kirtland, Lander, Lehman, Leydig, McGillivray, Mayhew, Mercer, Milligan, Mitchell, Montee, Murphy, Myers, Neihart, Oshant, Padgett, Pohlman, Polley, Pomeroy, Potts, Price, Rall, Ransom, Reynard, Rich, Richardson, Richmond, Rockefeller, Schmidt, Shepard, Sherer, Sipple, Sourbeer, Stannard, Stockton, Stone, Sweeny, Swope, Thompson, Tredway, Umholtz, Wells, and Wilson.

Members voting in the negative were: Messrs. Brown, Chat-ten, Crumly, Davison of Marion, Finley, Gesner, Holden of Wichita, Martin, Miller, Morgan of Reno, O'Conner, Patterson, Peter, Rhodes, Roush, Skinner, Taylor, Westcott, Wheeler, White, and Woodhouse.

Members absent or not voting were: Messrs. Berryman, Creech, Davidson of Sedgwick, Foley, Gants, Guyer, Hart, Haskins, Helmick, Hendricks, Husey, Ingalls, Jeffries, Leland, Lennen, Morgan of Hodgeman, Plumb, Rochester, Ryan, Saunders, Snyder, Stubbs, Tannahill, Warren, and Mr. Speaker Simmons.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

COMMITTEE OF THE WHOLE.

Mr. Stone moved that the House go into committee of the whole for the consideration of bills on the Calendar under the head of "General Orders." A vote being had, the motion prevailed.

The House went into committee of the whole, with Mr. Westcott in the chair.

After some time spent therein the committee rose, and through the chairman submitted the following report:

MR. SPEAKER: The committee of the whole House have had under consideration bills on the Calendar under the head of "General Orders," and I am directed to report as follows:

Recommend that House bill No. 111, An act relating to banks and banking, be amended as follows:

Section 2: Add the following to the end of the section:

Provided, that the amount of deposits insured shall at no time exceed a sum equal to one hundred times the amount of the capital stock and surplus subscribed and fully paid up.

Section 5: In line 5, after the word "charter" insert "who shall serve until the first annual meeting, at which five directors shall be elected to serve one year, five for two years, and five for three years, and at each annual meeting thereafter five directors shall be elected for three years."

Section 7: Strike out all after line 1 and insert the following in lieu thereof:

ever invest any of its funds in securities or investments outside the state of Kansas, except such as shall be approved by the State Charter Board; provided, that the board of directors shall have power to use any of the funds of the company to prevent the failure of any bank or trust company insured by said company, but such company may take and hold temporarily any property or securities, real, personal or mixed, to protect itself against losses, but any such property shall be disposed of within a reasonable time.

That the amendment made to end of section 11 yesterday be withdrawn and the following inserted in lieu thereof:

Provided, that at least thirty days before the expiration of the time fixed for such deposit insurance to cancel its policy of insurance it shall be the duty of such deposit insurance company to publish notice of such intention to cancel such policy in a newspaper published in the town or city in which is located such insured bank, and if no newspaper is published in such town or city in which is located such insured bank, then by publication in a newspaper of general circulation in the county in which is located such insured bank.

That section 10 become section 11.

That section 11 become section 12.

That section 12 become section 13.

That section 13 become section 14.

That section 14 become section 15.

That section 15 become section 16.

Section 12: In line 6 change the word "are" to "is."

Add the following as a new section:

SEC. 16. The secretary of state shall within thirty days after the passage of this act mail to each national bank, state bank, savings bank, private bank and trust

company doing business in the state of Kansas subscription blanks to the capital stock of the deposit guaranty company, on which each bank or its officers may subscribe to the capital stock as provided herein; provided, that when \$200,000 have been subscribed the persons or banks making such subscription shall be called together for organization.

That section 16 become section 17.

And that it be passed as amended. S. C. WESTCOTT, *Chairman*.

Mr. Westcott moved the adoption of the report of the committee of the whole, which motion prevailed.

THIRD READING OF BILLS.

House bill No. 111, An act relating to banks and banking, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 94, nays 1; absent or not voting, 27.

Members voting in favor of the passage of the bill were: Messrs. Adams, Banks, Beeson, Berryman, Bird, Blaine, Boggs, Boyle, Brandon, Brierley, Brown, Clark, Cole, Cottingham, Cowan, Craddock, Crumly, Curran, Davidson of Sedgwick, Davis, Davison of Marion, Dennis, Edwards, Elstun, Enright, Fisher, Flanigan, Fraser, Gesner, Gordon, Grass, Guyer, Ham, Hart, Helmick, Holden of Wichita, Holdren of Montgomery, Husey, Hutcheson, Johnson, Jones, Kiff, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, McGillivray, Mayhew, Mercer, Miller, Milligan, Mitchell, Morgan of Hodgeman, Morgan of Reno, Oshant, Padgett, Patterson, Peter, Pohlman, Pomeroy, Price, Rall, Ransom, Reynard, Rhodes, Rich, Richardson, Richmond, Rockefeller, Roush, Schmidt, Shepard, Sherer, Sipple, Skinner, Stannard, Stockton, Stone, Stubbs, Sweeny, Swope, Tannahill, Taylor, Thompson, Tredway, Umholtz, Wells, Westcott, Wheeler, White, Wilson, and Woodhouse.

Mr. Cunningham voted in the negative.

Members absent or not voting were: Messrs. Archer, Chatten, Creech, Finley, Foley, Gants, Haskins, Hendricks, Ingalls, Jeffries, Kinnison, Martin, Montee, Murphy, Myers, Neihart, O'Conner, Plumb, Polley, Potts, Rochester, Ryan, Saunders, Snyder, Sourbeer, and Warren.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 110, An act to amend sections 1, 2, 6, 11 of chapter 407 of Laws of Kansas, 1907, and repeal said original sections, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 92, nays 0; absent or not voting, 30.

Members voting in favor of the passage of the bill were: Messrs. Adams, Banks, Beeson, Berryman, Bird, Blaine, Boggs, Boyle, Brandon, Brierley, Brown, Chatten, Clark, Cole, Cottingham, Cowan, Crumly, Cunningham, Curran, Davis, Davison of Marion, Dennis, Edwards, Elstun, Enright, Finley, Fisher, Flanigan, Foley, Fraser, Gesner, Gordon, Grass, Guyer,

Ham, Hart, Helmick, Holden of Wichita, Husey, Jeffries, Johnson, Jones, Kiff, Kinnison, Kirtland, Lander, Lehman, Leland, Lennen, Leydig, Mercer, Milligan, Mitchell, Montee, Morgan of Hodgeman, Morgan of Reno, Murphy, Oshant, Patterson, Peter, Pohlman, Polley, Pomeroy, Potts, Rall, Ransom, Reynard, Rich, Richardson, Rockefeller, Roush, Sherer, Sipple, Skinner, Sourbeer, Stannard, Stockton, Stone, Stubbs, Sweeny, Swope, Tannahill, Taylor, Thompson, Tredway, Umholtz, Wells, Westcott, Wheeler, White, Wilson, and Woodhouse

Members absent or not voting were: Messrs. Archer, Craddock, Creech, Davidson of Sedgwick, Gants, Haskins, Hendricks, Holdren of Montgomery, Hutcheson, Ingalls, McGilivray, Martin, Mayhew, Miller, Myers, Neihart, O'Conner, Padgett, Plumb, Price, Rhodes, Richmond, Rochester, Ryan, Saunders, Schmidt, Shepard, Snyder, Warren, and Mr. Speaker Simmons.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

COMMITTEE OF THE WHOLE.

Mr. Stubbs moved that the House go into committee of the whole for the consideration of bills on the Calendar under the head of "General Orders." A vote being had, the motion prevailed.

The House went into committee of the whole, with Mr. Enright in the chair.

After some time spent therein the committee rose, and through the chairman submitted the following report:

MR. SPEAKER: The committee of the whole House have had under consideration bills on the Calendar under the head of "General Orders," and I am directed to report as follows:

Recommend that House bill No. 126 be passed over, retaining its place on the Calendar.

That House bill No. 27, An act relating to intoxicating liquors, and supplemental to chapter 339 of the Laws of 1903, be passed over, retaining its place on the Calendar.

That House bill No. 119, An act relating to the appointment of agents for life and other insurance companies in the state of Kansas, and prohibiting the superintendent of insurance from issuing a license to such non-resident agents, amending section 19 of chapter 93 of the Laws of 1871, be amended by adding the following as section 2:

SEC. 2. Any one violating any of the provisions of this act shall be deemed guilty of a misdemeanor and be fined in a sum not to exceed one hundred dollars.

That section 2 become section 3.

And that it be passed as amended.

That the enacting clause be stricken out of House bill No. 126.

That House bill No. 50, An act apportioning the state of Kansas into representative districts, retain its place on the Calendar.

That House bill No. 120, An act to amend sections 3 and 18 of chapter 408 of the Session Laws of 1907, and repealing said original sections 3: and 18, be passed, subject to amendment and debate.

E. A. ENRIGHT, *Chairman.*

Mr. Enright moved the adoption of the report of the committee of the whole, which motion prevailed.

Mr. Berryman moved that 500 copies each be printed of substitute for House bill No. 13, substitute for House bill No. 123, and House bill No. 111, which motion prevailed.

Mr. Cunningham moved to take a recess until eight o'clock, which motion prevailed.

The House convened at eight P. M., with the speaker in the chair.

Mr. Wheeler moved that the House adjourn until ten A. M., Wednesday, January 29, 1908.

TWELFTH DAY.

MORNING SESSION.

HALL OF THE HOUSE OF REPRESENTATIVES,
January 29, 1908—10 A. M.

The House convened, with Mr. Speaker Simmons in the chair.

The roll was called and 117 gentlemen were present and answered to their names.

Gentlemen absent were: Messrs. Creech, Hendricks, Saunders, Warren, and Westcott.

Gentlemen absent by leave were: Messrs. Creech, Hendricks, Warren, and Westcott.

Quorum present.

Prayer by the chaplain.

READING AND CORRECTION OF THE JOURNAL.

Mr. Mitchell moved that the rules be suspended, and that the further reading of the Journal be dispensed with, and that the same be referred to the Committee on Supervision of the Journal, which motion prevailed.

SECOND READING AND REFERENCE OF SENATE BILLS.

Senate bill No. 117, An act amending section 1 of chapter 305 of the Session Laws of Kansas of 1901, and repealing said original section 1, was read the second time.

Mr. Archer moved that an emergency be declared, the rules be suspended, and that Senate bill No. 117 be referred to the committee of the whole, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE.

The committee of conference on House bill No. 18 submitted the following report:

MR. SPEAKER: Your committee of conference on House bill No. 18, An act relating to primary elections, providing for the organization and government of political parties, repealing chapter 115, Laws of 1891, and all other acts or parts of acts in conflict herewith, and prescribing and fixing penalties for the violation hereof, have had the same under consideration and beg leave to report as follows:

That the Senate recede from its amendments to House bill No. 18, and we respectfully recommend that House bill No. 18, as passed by the House, be amended in the following particulars, to wit:

Section 2: On page 4, line 3, after the figure "2" insert the word "independent." In line 5, after the word "senator," strike out the following words, to wit, "delegates and alternates to the various party national conventions and national committeemen."

Section 3: On page 4, in line 2, after the word "office," strike out the

word "May" and insert in lieu thereof the word "August." In line 4, after the word "election," strike out the following words: "and all delegates and alternates to the various national conventions for that year."

Section 4: On page 5, in line 1, strike out the word "sixty" and insert the words "one hundred and twenty" in lieu thereof. In line 9, after the figure "3," strike out the words "each township and city clerk" and insert in lieu thereof the words "the sheriff of each county." In line 12, after the word "his," strike out the words "township or city" and insert in lieu thereof the word "county."

Section 5: In line 3 strike out the word "thirty" and insert in lieu thereof the word "forty." On page 6, in line 15, after the word "of," strike out the word "May" and insert in lieu thereof the word "August." In line 15, beginning with the word "and," and ending with the word "March" in line 17, enclose in parentheses the following words: "and in cities having a population of 5000 or more on the first Tuesday in March." On page 8, in line 49, after the word "state," insert the following words: "or by at least one per cent. of the total vote of his party in each of twenty counties," and strike out the remainder of line 49 and lines 50, 51, 52 and 53, down to and including the word "state." In lines 54 and 55, after the word "office," strike out the following words: "or for a delegate or an alternate from a congressional district to the national convention." In lines 61 and 62, after the word "office," at the end of line 61, strike out the words "or for a county committeeman." In line 110, page 11, strike out the word "sixty" and insert in lieu thereof the words "one hundred and twenty." In line 111 strike out the word "seventy" and insert in lieu thereof the words "one hundred and thirty."

Section 6: Page 12, line 4, after the word "representatives" insert the word "and," and in lines 4, 5 and 6, after the word "officers," strike out the following words: "and all delegates and alternates to party national conventions and national committeemen." In line 7, after the word "state," insert the following: "provided, that when the district is composed of one county or less such nomination papers shall be filed with the county clerk of such county."

Section 7: Page 12, line 1, beginning with the figure "1," strike out all of subdivision 1 down to and including the word "represents," and insert in lieu thereof the following words:

(1) The State Board of Canvassers shall meet in the office of the secretary of state on the first Monday following the expiration of time for filing of nomination papers in the office of secretary of state, and shall proceed to examine all nomination papers so filed, determine whether such nomination papers comply with all the requirements of this act, and shall make out and certify to the secretary of state a list containing the name and post-office address of each person for whom nomination papers have been filed in the office of the secretary of state, together with the designation of the office for which each is a candidate and the party or principles of the office which he represents, certifying that such nomination papers in each case are regular and in strict compliance with the provisions of this act. Thereupon the secretary of state shall, at least thirty days before the primary of the year 1908, and of each alternate year thereafter, transmit to each county clerk a certified copy of the list so certified to him by the State Board of Canvassers.

Also, in same section, in line 17, strike out the word "subdivision," and insert in lieu thereof the words "subdivision 1 and." In line 28, on page 14, after the word "publish" insert the words "once each week."

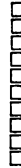
Section 8: Page 14, line 1, strike out the word "an" and insert in lieu thereof the words "a separate"; and in the same line, after the word "official," insert the word "primary." In line 11, after the word "act," beginning with the word "the," strike out all the remaining portion of section 8.

Section 9: Page 15, line 8, strike out the word "the" and insert in lieu thereof the word "each"; and after the word "election," in line 33, insert the following: "and provided, that in case nomination petitions are filed by a new party the number of ballots provided shall be twice the number of votes the county clerk estimates such party will cast." On page 17, in the form of "Official Primary Ticket," in line 1, paragraph 1 of

"Instructions to Voters," after the word "printed," strike out the words "or written," and immediately below the second paragraph of "Instructions to Voters," after the word "state," in column 1, insert the following:

For Presidential Electors.

Vote for ten.
JOHN DOE.
JOHN DOE.
JOHN DOE.
JOHN DOE.
JOHN DOE.
JOHN DOE.
JOHN DOE.
JOHN DOE.
JOHN DOE.
JOHN DOE.



Also, in same section, page 18, strike out at bottom of first column "Delegates at large to national convention" and form, and strike out all of first column on page 19 down to "District." In second column on page 19, under the word "Party," strike out "County committeeman" and form down to but not including "Precinct committeemen"; and on page 20, on form of "Official Primary Ticket, City Election," in line 1 of "Instructions to Voters," after the word "printed" strike out the words "or written."

Section 10: Page 22, line 14, beginning with the comma, strike out down to and including the word "act," in line 16. In line 74, page 25, immediately following the word "section," strike out the figure "2" and insert in lieu thereof the figure "1."

Section 12: Page 27, line 7, after the word "challenged," insert the words "by any elector." In lines 17 and 18, page 28, strike out the words "am a citizen of the United States and."

Section 13: Page 29, line 5, after the word "the," strike out the words "county committeemen" and insert in lieu thereof the words "chairman of the county committee." In lines 23 and 24, page 30, after the word "the," strike out the words "county party committeeman" and insert in lieu thereof the words "chairman of the county committee."

Section 14: On page 31, line 12, strike out the word "May" and insert in lieu thereof the word "August." In line 18, after the word "representatives," insert the word "and." In line 19 strike out all after the word "county" down to and including the word "convention" in line 21. In line 24, after the word "senator," strike out the words "the following: (a)." In lines 26 and 27, beginning with the letter "(b)" strike out the following: "(b) The total party vote for each candidate in the state." In line 30, after the word "their," insert the word "party." In line 32, after the word "by," insert the words "their party members of."

Section 15: On page 32, line 3, strike out the word "an" and insert in lieu thereof the word "any," and after the word "office," in the same line, insert the words "other than United States senator." In line 8, after the word "lot," insert the following:

(3) The candidate for United States senator receiving the highest number of votes of his party in the greatest number of representative and senatorial districts of the state shall be declared, by the State Board of Canvassers, the nominee of such political party for United States senator.

Section 17: On page 33 strike out all of subdivision 1, beginning in line 3 and ending in line 6. In line 6 strike out the figure "2" and insert in lieu thereof the figure "1." In line 10 strike out the figure "3" and insert in lieu thereof the figure "2." In line 11, after the word "committeemen," strike out the words "and the county committeeman." In lines 13 and 14, after the word "party," strike out the words "of which the county committeeman shall be *ex officio* chairman," and in lieu thereof insert the following: "such county committee shall be organized by electing from its own membership a chairman, secretary and treasurer, of which offices the last two may be filled by the same person." In line 14 strike out the figure "4" and insert in lieu thereof the figure "3." In

line 15 strike out the word "committeeman" and insert in lieu thereof the word "committee." In line 14, after the word "the," insert the words "chairman of the." In line 17 strike out the figure "5" and insert in lieu thereof the figure "4." In line 21 strike out the figure "6" and insert in lieu thereof the figure "5." In line 23 strike out the words "several county committeemen" and insert in lieu thereof "chairmen of the county committees." In line 32 strike out the figure "7" and insert in lieu thereof the figure "6." In line 37 strike out the figure "8" and insert in lieu thereof the figure "7." In line 41 strike out the figure "9" and insert in lieu thereof the figure "8." In line 43, after the word "represented," insert the word "and." In line 44, after the word "committeeman," strike out the words "and county committeeman." In line 44 strike out the figure "10" and insert in lieu thereof the figure "9." In line 56, after the word "chosen," beginning with the word "except," strike out down to and including the word "vacancy" in line 59. In line 59 strike out the number "11" and insert in lieu thereof the number "10." In line 63, after the word "primary," insert the words "the national committeeman, the United States senators." In lines 65 and 66 strike out the words "county committeemen" and insert in lieu thereof the words "chairman of the county committees." In line 68 strike out the word "July" and insert in lieu thereof the word "August." In lines 79, 80, 81 and 82, beginning with the word "and," in line 79, strike out down to and including the word "elector," in line 82.

Section 19: On page 37, after the word "elections," in line 7, strike out lines 7, 8, 9, 10, 11, 12, 13, 14 and 15, and the words "general election" in line 16.

Section 20: On page 39, in lines 17 and 18, strike out the words "of a signer."

Your committee respectfully report that in making the references above we have used for convenience and accuracy the printed copy of House bill No. 18, as passed by the House January 21, 1908, to which reference is hereby made.

W. S. FITZPATRICK,

F. DUMONT SMITH,

On part of Senate.

S. B. HASKINS,

S. L. RYAN,

W. A. MORGAN,

On part of House.

Mr. Haskins moved the adoption of the conference committee's report on House bill No. 18, An act relating to primary elections, providing for the organization and government of political parties, repealing chapter 115, Laws of 1891, and all other acts and parts of acts in conflict herewith, and prescribing and fixing penalties for the violation hereof.

The question being, Shall the House adopt the conference committee's report on House bill No. 18? the roll was called, with the following result: Yeas 105, nays 10; absent or not voting, 7.

Members voting in the affirmative were: Messrs. Adams, Archer, Banks, Beeson, Berryman, Bird, Blaine, Boggs, Boyle, Brandon, Brierley, Brown, Chatten, Clark, Cole, Cottingham, Cowan, Crumly, Cunningham, Davidson of Sedgwick, Davis, Davison of Marion, Dennis, Edwards, Elstun, Enright, Finley, Fisher, Foley, Fraser, Gants, Gesner, Gordon, Grass, Guyer, Ham, Hart, Haskins, Helmick, Holden of Wichita, Holdren of Montgomery, Husey, Hutcheson, Ingalls, Jeffries, Jones, Kiff,

Kinnison, Kirtland, Lander, Lehman, Leland, Leydig, Martin, Mayhew, Mercer, Miller, Milligan, Mitchell, Montee, Morgan of Hodgeman, Morgan of Reno, Murphy, Myers, Neihart, Oshant, Padgett, Patterson, Peter, Plumb, Pohlman, Pomeroy, Potts, Price, Rall, Ransom, Reynard, Rhodes, Rich, Richardson, Richmond, Rochester, Rockefeller, Roush, Ryan, Schmidt, Shepard, Sherer, Sipple, Skinner, Sourbeer, Stockton, Stone, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Umholtz, Wells, Wheeler, White, Woodhouse, and Mr. Speaker Simmons.

Members voting in the negative were: Messrs. Craddock, Curran, Flanigan, Johnson, Lennen, McGillivray, O'Conner, Polley, Snyder, and Tannahill.

Members absent or not voting were: Messrs. Creech, Hendricks, Saunders, Stannard, Warren, Westcott, and Wilson.

A constitutional majority having voted in favor of the adoption of the conference committee report, the report was adopted.

EXPLANATION OF VOTES.

The following gentlemen explained their votes, in writing, on the adoption of the conference committee report on House bill No. 18.

I do not believe in the fundamental principles of a primary-election law. I do believe in the principles of representative government, and think it should be applied with proper safeguards in the selection of delegates to nominating conventions. I think this bill is as good a one as can be made, but believe it will be found cumbersome and expensive, both to the candidate and the public, and will in the end be a disappointment to the people, but I have often been wrong in the past and may be in this matter. The demand for a primary law, whether actual or created, is nearly universal, and as it has been long enough considered by the people, I feel that they should have an opportunity to test it. For this reason I have done what I could to get the bill in the best possible shape and to get an agreement between the two houses, and for the same reason I vote Aye.

J. S. SIMMONS.

MR. SPEAKER: In my judgment the open ballot feature of this proposed law is unjust and will encourage partisanship rather than preserve party integrity, as is contended by its advocates. The independent voters of any community may not always feel justified in placing a ticket in the field, in which event they would like the privilege of voting for the nominees of their choice without being compelled by law to openly assert their party preference. In the name of the great and growing number of independent electors, I vote "No."

O. L. LENNEN.

MR. SPEAKER: Personally I do not believe that this bill as now prepared will prove satisfactory, even to its friends. I believe it is too intricate, cumbersome and indefinite; I also believe it to be unfair and expensive. Yet my people seem to want it, and, while I believe they will be disappointed when they get it, and that it will prove expensive beyond any benefits that they will secure, yet, in deference to their wishes, I vote Aye.

F. B. WHEELER.

MR. SPEAKER: I am in favor of the primary idea, believing every man should have the right to cast his vote direct for the man of his choice. This bill is not exactly what I hoped to see passed, in many re-

spects; it has the finger-prints of the men that are against a direct primary in many places. Yet, believing the main principle in the bill is preserved, and that it is the best bill we can get at this time, and trusting this bill will be perfected after it is tried, I vote Aye.

WM. WELLS.

MR. SPEAKER: I am of the opinion that this scheme of nominating all candidates for public office is impracticable and against the best interests of the people. It is contrary to the principles of a republican form of government. But so much agitation in favor of this proposition has been raised by those who were pursuing their own selfish interests that I am now convinced that the situation will not be relieved until this method of making nominations is tried. Under the existing circumstances, I believe it will be worth the cost, over \$250,000, to the people of Kansas to enable them to learn by experience that the idea is a poor one. I therefore vote Aye.

J. W. MONTEE.

MR. SPEAKER: I believe the bill, in not permitting secrecy of the ballot, is an inquisition in the interest of the politician, and questions the honesty of the voter, and is subversive of honesty in politics. I therefore vote No.

J. D. FLANIGAN.

MR. SPEAKER: I desire this explanation of my vote to be spread on the Journal. I vote on this measure with doubt and hesitation. I am heartily in favor of a direct primary, but this bill appears to be exceedingly intricate in details, cumbersome and expensive. It will be, in my judgment, somewhat of a disappointment, even to its friends. But the people of Kansas demand a direct primary. My constituents are in harmony with this demand, and in obedience to their wishes I vote Aye.

C. F. FOLEY.

MR. SPEAKER: I feel it my duty to protest against the passage of this bill for the following reasons: (1) Taxes are already a burden to the people of this state, and I believe that this measure will cost the state of Kansas a sum not less than \$300,000, a sum that will actually approximate two dollars for every vote that will actually be cast at any one primary. (2) That this law is not framed for the best interest of the people, but is framed for the best interest of certain politicians and political cliques in the Republican party. (3) It robs the independent voter of his rights in government, as guaranteed by the constitution of the state of Kansas and the constitution of the United States, and forces him to ally himself with corrupt political parties to secure the benefits of suffrage secured to every citizen; and last, but not least, it creates hard factional lines in all political parties, and tends to discourage the general welfare of the community at large.

J. S. JOHNSON.

MR. SPEAKER: Whether this bill, partisan as it is avowed to be by its friends, will accomplish the results desired by the people, namely, the elimination of the boss, the trader and the selfish corporation influence from the policies of our fair state, remains a question of serious doubt in my mind. However, as the best that we of the minority could secure, believing it to be a start along the right line, and that in voting for it I am representing the wishes of ninety-nine per cent. of my Republican constituents and more than seventy-five per cent. of my Democratic constituents, I give it my support. The secret ballot, as provided for in the amendment offered in committee of the whole by the gentleman from Reno, would have been a great improvement. A primary ballot would have allowed to the voter a freer choice and would have insured a more universal attendance at the primary, and a higher standard of qualifications for candidates for public office. But such a bill could not be passed in this partisan Legislature. Therefore, I bow gracefully to the will of the majority, as Democrats always do, and vote Aye.

J. M. DAVIS.

MR. SPEAKER: I would be untrue to myself if I did not clearly and

specifically set forth my reasons for supporting this conference report on House bill No. 18. The bill as reported by the conference committee does not wholly meet my approval. Some features in it are good; some are bad, very bad.

The principle of permitting the people to directly participate in the nomination of all candidates for public office appeals to the thoughtful, sober judgment of the citizenship of our state. This part of the bill meets my approval, and I am confident will meet with the approval of the voters of Kansas. It seems to me, however, that the bill is too complicated and complex, and that the experiment will be too expensive.

That part of the report of the conference committee which provides that the candidate for United States senator who shall receive a plurality of the party votes in a plurality of the representative and senatorial districts of the state shall be the party candidate for United States senator, regardless of whether the party's legislative candidates are elected at the polls or not, and regardless of the choice of the voters of the party throughout the state as expressed at the primary, is unreasonable, unjust and indefensible. It gives undue political power to sparsely settled districts and detracts from the political power which rightfully belongs to populous districts. It is unrepresentative, because, while in a republican form of government the people always act through representatives, representation is always based directly upon population. Under the provisions of this bill, population has nothing whatever to do with the choice of the party candidate for senator. It is based entirely upon territory.

In my judgment this provision will frequently foist upon the people a United States senator who is not only obnoxious to a majority of the voters of the state, but who is even opposed by a majority of the voters of his party. The statistics demonstrating this fact are too well known to need repetition here. The only good which I can discover in this provision is that it demonstrates how soon political ambition and thirst for political power destroy a man's conception of right and wrong.

There are other features of this bill which do not meet my approval, but I have confidence to believe that future legislators will learn from experience the defects of this bill and remedy them before any considerable amount of damage is done.

Believing that this bill lays the foundation for direct primary legislation, I vote Aye.

W. L. CUNNINGHAM.

Mr. Morgan asked unanimous consent to offer House concurrent resolution No. 10, as follows:

Be it resolved by the House of Representatives, the Senate concurring therein, That the consideration of all bills (except that which is not provided for in House concurrent resolution No. 6, and except conference committee reports, and bills originating with the Committee on Ways and Means) cease at noon, Thursday, January 30, 1908.

Mr. Morgan moved that the rules be suspended and that the above resolution be read the second time and adopted, which motion prevailed, and the resolution was thereupon read the second time and adopted.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed by the Senate to inform the House that the Senate has adopted the report of the conference committee on House bill No. 18.

Also, passed Senate bill No. 105, An act providing for the improvement of county roads in the state of Kansas.

Also, House bill No. 51, An act prohibiting the manufacture, sale, keeping or offering for sale certain adulterated foods, and supplemental to chapter 266 of the Session Laws of 1907.

Also, House bill No. 72, An act to amend section 6467 of the Compiled Laws of 1901, relating to the establishment of agencies at the county seat in each county in the state, and in cities of the first and second class, for the handling, sale and exchange of school-books provided for in said section 6467.

Also, substitute for Senate bill No. 42, An act providing for a registration fee on mortgages on real property and for their exemption from taxation after being recorded, regulating the effect of non-payment of registration fee, and prohibiting the enforcement of mortgages upon which registration fee has not been paid as therein provided, and repealing all acts and parts of acts in conflict therewith.

The same are herewith transmitted. W. S. KRETSINGER, *Secretary*.

The above Senate bills were thereupon read the first time.

Mr. Kirtland moved that an emergency be declared, the rules suspended, and that substitute for Senate bill No. 42 be placed on second reading, which motion prevailed.

Substitute for Senate bill No. 42, An act providing for a registration fee on mortgages on real property and for their exemption from taxation after being recorded, regulating the effect of non-payment of registration fee, and prohibiting the enforcement of mortgages upon which registration fee has not been paid as therein provided, and repealing all acts and parts of acts in conflict therewith, was thereupon read the second time.

Mr. Kirtland moved that a further emergency be declared, the rules suspended, and that substitute for Senate bill No. 42 be referred to the committee of the whole, and placed on the Calendar under the head of "General Orders," which motion prevailed.

Mr. Kirtland moved that the rules be suspended, and that substitute for Senate bill No. 42 and House bill No. 4 be printed, which motion prevailed.

Mr. Enright moved that the House recall House bill No. 89 from the Senate, which motion prevailed.

Mr. Davis moved that an emergency be declared, the rules suspended, and that Senate bill No. 105 be read the second time and placed on the Calendar under the head of "General Orders," and that the same be referred to the committee of the whole, which motion prevailed.

Senate bill No. 105, An act providing for the improvement of county roads in the state of Kansas, was thereupon read the second time, and referred to the committee of the whole.

Mr. Morgan moved that the House take a recess until two P. M., which motion prevailed.

AFTERNOON SESSION.

The House reconvened at two o'clock, with the speaker in the chair.

COMMITTEE OF THE WHOLE.

Mr. Morgan moved that the House go into committee of the whole for the consideration of bills on the Calendar under the head of "General Orders." A vote being had, the motion prevailed.

The House went into committee of the whole, with Mr. Helmick in the chair.

After some time spent therein the committee rose, and through the chairman submitted the following report:

MR. SPEAKER: The committee of the whole House have had under consideration bills on the Calendar under the head of "General Orders," and I am directed to report as follows:

Recommend that House bill No. 27, An act relating to intoxicating liquors, and supplemental to chapter 339 of the Laws of 1903, be passed over, retaining its place on the Calendar.

That the committee report progress on House bill No. 50, An act apportioning the state of Kansas into representative districts.

PARKS HELMICK, *Chairman*.

Mr. Helmick moved the adoption of the report of the committee of the whole, which motion prevailed.

Mr. Simmons moved that an emergency be declared, the rules suspended, and that House bill No. 50 be placed on third reading, subject to amendment and debate.

Mr. Archer moved to amend the above motion, and moved that the rules be suspended, and that House bill No. 50 be re-committed to the Committee on Legislative Apportionment.

Roll-call being demanded, the chair asked for a sufficient number of hands; sufficient number being shown, the chair ordered a roll-call.

The question being, Shall the motion of Mr. Archer to re-commit House bill No. 50 to the Committee on Legislative Apportionment prevail? the roll was called. (The roll-call was not finished on account of the time having arrived to cease the consideration of House bills.)

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed by the Senate to inform the House that the Senate has adopted House concurrent resolution No. 6, Relating to the time of final adjournment.

Also, has consented to the return of House bill No. 89, and the same is herewith returned.

Also, has passed Senate bill No. 112, An act empowering the board of county commissioners of the county of Wyandotte to improve, macadamize and maintain a certain public highway, being supplemental to chapter 276 of the Laws of 1899, entitled "An act empowering the county of Wyandotte to improve and maintain certain highways, and levy and collect taxes for that purpose."

Also, Senate bill No. 113, An act empowering the county commissioners of Wyandotte county, Kansas, to improve, macadamize and maintain a certain public highway in Shawnee township in said county.

Also, Senate bill No. 127, An act for the improvement, maintenance and for the purpose of buying additional grounds to the Mission Creek township cemetery, of Mission Creek township, Wabaunsee county, Kansas.

Also, Senate bill No. 130, An act vacating a certain portion of the city of Fort Scott, Bourbon county, Kansas.

Also, House bill No. 110, An act to amend sections 1, 2, 6, 11 of chapter 407 of Laws of Kansas, 1907, and repeal said original sections.

Also, Senate bill No. 84, An act to amend section 1, chapter 67, of the Session Laws of 1903, and to repeal said original section.

Also, House bill No. 15, An act to appropriate money for the payment of the pension of Harry Parks.

Also, House bill No. 31, An act to amend section 1, chapter 120, of the Session Laws of 1907, and repealing said original section.

Also, Senate bill No. 34, An act authorizing the employment of an additional stenographer in the office of the attorney-general, and making appropriation therefor.

Also, Senate bill No. 71, An act to amend section 2 of chapter 408 of the Session Laws of 1907, relating to the creation of a Tax Commission, and defining the powers of such commission, etc.

Also, Senate bill No. 126, An act to amend section 6080 of the Revised Statutes of 1901, and fixing the salary of the state treasurer, the assistant state treasurer and chief clerk of the state of Kansas.

Also, Senate bill No. 129, An act making an appropriation for the traveling expenses of the members of the Tax Commission and the employees of said commission, in making appraisement and assessment of property for the year 1908.

Also, passed Senate bill No. 131, An act making appropriation to pay sundry claims against the state.

Also, Senate bill No. 132, An act making appropriation for legislative purposes.

Also, House bill No. 114, An act to amend chapter 290 of the Session Laws of 1907, being an act declaring section lines highways in the county of Rice and other counties therein named, and repealing said original chapter 290 of the Session Laws of 1907.

Also, House bill No. 109, An act regulating the meetings of county commissioners of Lincoln county, Kansas, and providing for compensation of said board.

Also, House bill No. 64, An act authorizing city of Marquette, city of third class, situated in the county of McPherson, state of Kansas, to issue bonds for floating indebtedness.

Also, House bill No. 9, An act to repeal section 6 of chapter 153 of the Session Laws of 1901.

Also, House bill No. 82, An act to amend sections 1, 2 and 3 of chapter 151 of the Session Laws of Kansas, 1907, granting the board of county commissioners of Harvey county, Kansas, the right to sell the present county jail building and to dispose of the proceeds of sale, erect a new county jail building and sheriff's residence combined, to levy an annual tax on all the taxable property in the county in payment therefor, and the repeal of original sections 1, 2 and 3 of chapter 151 of the Session Laws of Kansas, 1907.

Also, amended, and passed as amended, House bill No. 132, An act authorizing the county commissioners of Montgomery county to levy an additional tax for the purposes of defraying county expenses in said county.

Also, passed House bill No. 133, An act authorizing and empowering the board of education of the city of Frontenac, Kan., to levy a tax for

the support of the schools of said city, not exceeding thirty mills on the dollar for any one year.

Also, House bill No. 78, An act vacating unimproved town sites.

Also, House bill No. 61, An act transferring certain money from the state treasurer to the county of Finney.

Also, House bill No. 48, An act relating to excluding certain real estate in the city of El Dorado.

Also, House bill No. 79, An act to enable townships to issue bonds for the purpose of aiding railroad corporations in securing and paying for lands and water privileges and constructing water-works and water pipelines needed for shops, roundhouses or other terminal facilities.

Also, House bill No. 105, An act amending sections 1, 4, 6 and 12 of chapter 388 of the Session Laws of Kansas of 1907, and repealing said original sections 1, 4, 6 and 12.

Also, House bill No. 44, An act to enable cities of the first class having a population of more than 65,000 to refund their indebtedness, and providing penalties for the violation thereof.

Also, passed as amended, House bill No. 129, An act regulating the control and management of fire departments in cities of the first class, providing for a system of civil service therein, and repealing chapter 117 of the Laws of 1907 and all acts and parts of acts in conflict with this act.

Also, amended, and adopted as amended, House concurrent resolution No. 10.

The bills and resolutions are herewith transmitted.

W. S. KRETSINGER, *Secretary.*

The above Senate bills were thereupon read the second time.

Mr. Morgan moved that the House take a recess of thirty minutes to attend the election of officers of the Kansas Day Club, which motion prevailed.

REPORT OF STANDING COMMITTEE.

Mr. Leland, chairman of the Ways and Means Committee, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 83, An act making an appropriation for the state printing plant, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

Also, Senate bill No. 108, An act amending section 5 of chapter 23 of the Session Laws of 1907, relating to the hard-fiber twine plant of the Kansas State Penitentiary, at Lansing, and making an appropriation for the operation thereof, and providing for the payment of salary of clerk and cashier of said plant, and recommend that the following section be inserted after section 2:

SEC. 3. That original section 5 of chapter 23 of the Session Laws of 1907 be and same is hereby repealed.

That section 3 be numbered section 4. And that the bill be passed as amended.

C. LELAND, JR., *Chairman.*

Mr. Leland, chairman of the Ways and Means Committee, asked unanimous consent to consider House bill No. 83. There being no objections, it was granted.

Mr. Leland moved that an emergency be declared, the rules suspended, and that House bill No. 83 be placed on third reading, subject to amendment and debate, which motion prevailed.

Mr. Leland moved that Senate bill No. 108 be placed on third

reading, subject to amendment and debate, which motion prevailed.

Mr. Haskins asked unanimous consent to offer House concurrent resolution No. 11, as follows:

Be it resolved by the House of Representatives, the Senate concurring therein, That the Printing Committee be ordered to print 15,000 copies of House bill No. 18 as passed, with eight-point type, solid, for immediate distribution by the secretary of state to the several members of the state Legislature and to the different county clerks of the several counties.

Mr. Haskins moved that the rules be suspended, and that the above resolution be adopted, which motion prevailed, and the resolution was thereupon read the second time and adopted.

REPORT OF CONFERENCE COMMITTEE.

The committee of conference on House bill No. 45 submitted the following report:

MR. SPEAKER: Your conference committee on House bill No. 45 beg leave to make the following report:

That the Senate recede from its amendment, and that we recommend that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof as follows:

SECTION 1. That any city of the first class having a population of over 50,000 is hereby empowered to acquire by the exercise of the right of eminent domain the whole or any part of any water-supply plant, including all pipes, mains and other appurtenances and rights and property, real or personal, of every kind pertaining thereto, situated either within or without such city, or partly within and partly without such city; and is further empowered to acquire by the exercise of the power of eminent domain any other property owned by any person or corporation, real or personal, necessary to the construction, improvement, extension, enjoyment or maintenance of a water-supply plant or the furnishing of water to such city and its inhabitants situated either within or without any city.

SEC. 2. The mayor and council of any city desiring to exercise the power of eminent domain for the purpose hereinbefore mentioned shall, by resolution, declare it necessary and for the best interests of the city to proceed under the provisions of this act to acquire for said city such property, describing the property condemned and appropriated.

SEC. 3. Upon the passage of such resolution as is specified in the next preceding section, the city passing the same may apply to the judge of the district court of the county in which said city is located, or to the judge of any court of general jurisdiction, having a clerk and seal, of the county in which said city is located, for the appointment of three commissioners to make appraisal of the value of the property so condemned and for the assessment of all damages. Said commissioners shall be residents and freeholders of the county in which said city is located. Such appointment shall be made by the judge of the court on the written application of the city, by its attorney or legal representative; the appointment shall be made in writing, under the hand of the judge, and delivered to the city applying therefor; the application for the certificate of appointment shall be recorded in the office of the register of deeds of the county in which said city is located. In case any vacancy occurs, or any such commissioner or commissioners refuse to serve on such board, the judge of the court to which application is made shall appoint, in the manner herein provided, some other person or persons having the qualifications herein provided. Such commissioners shall be sworn to honestly and faithfully discharge their duties as such commissioners.

SEC. 4. Upon their appointment and qualification the said commissioners shall give notice of the time and place of their meeting to value property sought to be acquired by the city and to assess the damages. Such notice shall be addressed "To whom it may concern," and given by publication for thirty successive days (excluding Sundays) next preceding the time fixed for said meeting, in some daily newspaper published in such city. Said notice shall specify that the purpose of the meeting of the said commissioners is to ascertain and determine the value of property condemned and the damages. At the time fixed by said notice, or at the time to which said meeting may be adjourned, the said commissioners shall proceed to ascertain and determine the value of the property condemned by the city and the damages. They may examine experts and resort to all means within their power to arrive at the value of the property condemned, and the owner or any one interested therein, or who may be affected by the condemnation proceedings, may be heard before said commissioners and may produce such testimony before them to enable said commissioners to arrive at the fair and equitable value of the property condemned and

the damages. The said commissioners may adjourn as often and for such length of time as may be deemed convenient, and may during any adjournment perfect or correct all errors or omissions in the giving of notice by serving new notices or making new publications, citing corporations or individual property owners who have not been notified or to whom defective or insufficient notice has been given, and notice of any adjourned meeting shall be as effective as notice of the first meeting of the commissioners. Upon the completion of their hearing and deliberations, the said commissioners shall make their report in writing, and shall forthwith file the same with the clerk of the county in which the city is located. Said report shall be filed within twenty days from the date of the last meeting of said commissioners.

SEC. 5. An appeal shall be had to the district court of the county in which such city is located, by the owner, or any person interested or aggrieved, from the determination of the commissioners as to the value of the property appropriated and for all damages sustained by such interested or aggrieved party, in the same manner as appeals are granted from the judgment of a justice of the peace to the district court; and said appeal and all subsequent proceedings shall only affect the amount of compensation to be allowed, and shall not delay the city in taking possession of the property condemned, if said city shall deposit with the treasurer of the county in which said city is located, as herein provided, for the use and benefit of the owners of said property or others interested therein, including parties having liens thereon, the amount of the award allowed. Upon the making of said deposit said city may at once take possession of the property condemned and manage and control the same as hereinafter specified. Said city shall in addition to the amount awarded by the commissioners be liable for such sums in excess thereof as may be recovered on any appeal, and for the costs of said appeal, but if judgment for a less sum than awarded by the commissioners is recovered, the city shall not be liable for a sum in excess of such judgment nor for the cost of said appeal.

SEC. 6. The commissioners hereby required to perform duties shall be paid therefor by the city upon whose application they shall act, and such city shall be liable to each of them for the sum of five dollars per day for the time actually spent by them in the performance of their duties under this act.

SEC. 7. Within ten days after the commissioners shall file their report and proceedings under this act, it shall be the duty of the mayor and council of the city instituting the condemnation proceedings herein provided for, to call a special election in said city for the purpose of submitting to the electors of said city a proposition to vote bonds to raise money to pay the amount of the award made by the commissioners in their report. If a majority of the electors voting upon the proposition so submitted shall favor the same, the mayor and council of said city are hereby authorized to enact a proper ordinance providing for the issuance of bonds, which bonds shall run for not exceeding thirty years nor bear a greater rate of interest than six per cent. per annum, to be sold at par, payable semiannually, and said bonds to be sold by the city and the proceeds thereof used for the payment of the award of commissioners. All bonds issued under the provisions of this act shall contain a recital that the same are issued under the provisions of this act, and in conformity with its provisions, and such recital shall be conclusive in favor of all persons holding such bonds, against the city and the taxpayers thereof, that all conditions precedent and proceedings to authorize the issuing of such bonds have been made and had in conformity with this act. If the electors of the city vote bonds to raise money to pay the award fixed in the report of the commissioners, the city shall as soon as practicable thereafter pay the amount of the award to the county treasurer of the county in which the said city is located, and the right of possession to the property condemned shall thereupon vest absolutely in the city, and such city shall have the right to enter into and take possession thereof, and thereafter the said city shall hold the plant and property appropriated free from all liens and encumbrances.

SEC. 8. If the city shall cause to be paid to the county treasurer of the county in which the city is located the amount in full of the award, such treasurer shall, upon demand of the persons severally entitled thereto, pay over the amounts of such fund to such persons as shall be respectively entitled thereto. Immediately upon the payment to the county treasurer of the amount of the award made by the commissioners any lien-holder, mortgagee, or holder of any incumbrance of the plant or property condemned shall have the right to commence an action in any court of general jurisdiction in the county in which said city is located, for the purpose of determining to whom the money so deposited shall be paid. In any such action service may be made by publication against defendants who are non-residents of the state, in the same manner as is now provided for such service by the code of civil procedure of the state of Kansas in case of non-resident defendants.

SEC. 9. That if such city deems it necessary to enlarge, improve or extend any water-works system, or part thereof (so condemned) the mayor and council are hereby empowered to issue for said purpose bonds to such an amount as may be fixed by ordinance, and authorized by the electors at the election hereinbefore provided for, or at any subsequent special election or elections called therefor.

SEC. 10. The mayor and council shall by ordinance fix all rates for water and sell and dispose of water to any person or corporation within or without said city.

SEC. 11. That the mayor and council shall by ordinance create a water-works department, and provide for the superintendent and such other officers and employees as may be necessary for the proper management of such plant, and fix their compensation; that the revenue and income of said plant shall be kept separate from other funds, and used as follows: (1) For the payment of salaries and wages of said water-works department. (2) The interest on the bonds issued on account of said plant. (3) To pay for necessary betterments. And all sums remaining shall be

set aside annually as a sinking-fund for the redemption of the bonds issued to acquire said plant until said bonds are fully paid, after which such surplus shall be turned into the general funds of the city.

SEC. 12. It shall be the duty of the mayor and council in any city issuing bonds as provided in this act, annually, at the time when other taxes are levied, to levy and cause to be collected a sufficient tax to pay the interest on all bonds as the same become due, and also for the purpose of creating a sinking-fund for the final redemption of said bonds.

SEC. 13. That the officers of the said water-works department shall be appointed by the mayor for an indefinite term and under civil service, subject to removal by the mayor only for cause, and each officer shall give bond in such sum as the mayor and council shall provide, for the honest and faithful discharge of their duties.

SEC. 14. That the mayor and council of any city acquiring a water-works plant or part thereof may make a contract with any person, city or corporation located within or without this state for the purchase and supplying of water for all purposes to such city for its own use or to supply all other consumers.

SEC. 15. That the mayor and council shall enact all other ordinances necessary for the control, operation and maintenance of such water-works plant and department.

SEC. 16. None of the restrictions and limitations respecting the amount of city indebtedness contained in any of the statutes of the state of Kansas shall apply to or in any way affect the issuance of the bonds authorized by this act.

SEC. 17. If any part or portion of the plant or property of any person, company or corporation sought to be acquired, proceeding under the provisions of this act, be located outside the corporate limits and boundaries of said city, the said city may nevertheless proceed under this act to acquire title to such part or portion of the said plant or property of the city the same as though it was located within the corporate limits of said city.

SEC. 18. That chapter 135 of the Session Laws of 1907, and all other acts or parts of acts inconsistent with the provisions of this act, are hereby repealed.

SEC. 19. This act shall take effect and be in force from and after its passage and publication in the official state paper.

We recommend that the title of the bill be amended so as to read as follows:

An act relating to cities of the first class having a population of more than fifty thousand, and relating to the acquisition and maintenance of water-works by and the supplying of such cities and their inhabitants with water.

JAMES F. GETTY,
C. I. MARTIN,
On part of Senate.
W. H. MARTIN,
E. A. ENRIGHT,
W. W. PADGETT,
On part of House.

Mr. Enright moved the adoption of the conference committee's report on House bill No. 45, An act relating to the acquisition and operation by cities of the first class having more than fifty thousand population of the water-works supply plant and property of any person, company or corporation, in any case where the franchise of such person, company or corporation to supply any such city of the first class with water has expired or may hereafter expire.

The question being, Shall the House adopt the conference committee's report on House bill No. 45? the roll was called, with the following result: Yeas 81, nays 1; absent or not voting, 40.

Members voting in favor of adopting the report were: Messrs. Adams, Archer, Banks, Beeson, Berryman, Bird, Blaine, Brandon, Brown, Chatten, Clark, Cole, Cottingham, Cowan, Crumly, Cunningham, Curran, Davidson of Sedgwick, Davis, Davison of Marion, Dennis, Edwards, Elstun, Enright, Fisher, Flanigan, Foley, Fraser, Gesner, Grass, Guyer, Ham, Hart, Haskins, Helmick, Holden of Wichita, Holdren of Mont-

gomery, Husey, Jeffries, Johnson, Jones, Kinnison, Kirtland, Leland, Lennen, Leydig, Martin, Mayhew, Miller, Mitchell, Morgan of Hodgeman, Morgan of Reno, Murphy, Myers, Oshant, Patterson, Peter, Pomeroy, Price, Rall, Reynard, Richmond, Rockefeller, Roush, Ryan, Shepard, Sherer, Sipple, Skinner, Sourbeer, Stockton, Sweeny, Swope, Tannahill, Taylor, Thompson, Tredway, Umholtz, Wells, Wheeler, and Mr. Speaker Simmons.

Mr. Craddock voted in the negative.

Members absent or not voting were: Messrs. Boggs, Boyle, Brierley, Creech, Finley, Gants, Gordon, Hendricks, Hutcheson, Ingalls, Kiff, Lander, Lehman, McGillivray, Mercer, Milligan, Montee, Neihart, O'Conner, Padgett, Plumb, Pohlman, Polley, Potts, Ransom, Rhodes, Rich, Richardson, Rochester, Saunders, Schmidt, Snyder, Stannard, Stone, Stubbs, Warren, Westcott, White, Wilson, and Woodhouse.

A constitutional majority having voted in favor of the adoption of the conference committee report, the report was adopted.

Mr. Enright moved that an emergency be declared, the rules suspended, and that Senate bill No. 36 be recalled from the Committee on Cities of the First Class and put on the Calendar under the head of "General Orders," which motion prevailed.

Mr. Brierley moved that an emergency be declared, the rules suspended, and that Senate bill No. 115, now on the Calendar under the head of "General Orders," be placed on third reading, subject to amendment and debate, which motion prevailed.

Mr. Kirtland moved that an emergency be declared, the rules suspended, and that House bill No. 55 be recalled from the Senate and Senate bill No. 65 substituted therefor, and that House bill No. 55 be stricken from the Calendar, which motion prevailed.

COMMITTEE OF THE WHOLE.

Mr. Morgan moved that the House go into committee of the whole for the consideration of bills on the Calendar under the head of "General Orders." A vote being had, the motion prevailed.

The House went into committee of the whole, with Mr. Ham in the chair.

After some time spent therein the committee rose, and through the chairman submitted the following report:

MR. SPEAKER: The committee of the whole House have had under consideration bills on the Calendar under the head of "General Orders," and I am directed to report as follows:

Recommend that Senate bill No. 31, An act amending section 434 of the General Statutes, 1901, relating to banks and banking, and repealing original section 434 and all acts or parts of acts in conflict therewith, be amended in section 1, line 31, by inserting after the word "commissioner"

the following: "with the approval of the proper court," and passed as amended.

That Senate bill No. 32, An act to amend section 1 of chapter 68 of the Session Laws of 1903, being section 408 of the General Statutes of 1901, as repealed by said act of 1903, relating to the management and control of banking, be amended by inserting the following as sections 2 and 3:

SEC. 2. That section 13 of chapter 47 of the Session Laws of 1897 be amended so as to read as follows: Sec. 13. The total liability to any bank of any person or company, corporation or firm, for money borrowed, including in the liabilities of the several members thereof, shall not, at any time, exceed fifteen per cent. of the capital stock and surplus of such bank actually paid in; but the discount bills of exchange drawn in good faith against actual existing values or loans upon produce in transit, or upon warehouse or elevator receipts as collateral security, and the discount of commercial or business paper actually owned by the person negotiating the same, shall not be considered as money borrowed. Overdrafts shall be considered borrowed money for the purpose of this act, and stocks or bonds of the same corporation pledged as collateral considered overloans if more than twenty per cent. of the bank's capital and surplus be loaned on the same stocks or bonds. Loans to officers or directors must be approved, in writing, by at least a majority of the directors other than the borrower. Renewals of such loans must have new approvals. Original approval must be attached to the loans and the record kept in the books of the bank. A violation of this section shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail not less than thirty days or more than six months, or by both such fine and imprisonment, at the discretion of the court.

SEC. 3. That section 23 of chapter 47 of the Session Laws of 1897 be amended so as to read as follows: Sec. 23. It shall be the duty of the bank commissioner or his deputy to visit each and every bank doing business in this state, except national banks, at least two times in each year, and more often if necessary, for the purpose of making a full and careful investigation and inquiry into the condition of the affairs of such bank; and for that purpose the commissioner or deputy is hereby authorized and empowered to administer oaths and to examine under oath the owners and directors and all officers and employees and agents of such bank. He shall call in at the time of this examination at least three of the directors to pass upon the genuineness of all notes, bonds and other assets, and shall take a certificate over their signatures to the effect that to the best of their knowledge and belief such notes and bonds and other assets are genuine. The officer making such investigation shall reduce the result thereof to writing, which shall contain a full, true and careful statement of the condition of such bank.

That section 2 be renumbered section 4, and section 3 be renumbered section 5. That section 5 as so renumbered be amended by inserting after "and," in line 2, the following: "sections 13 and 23 of chapter 47 of the Session Laws of 1897."

Also, that the title be amended to read as follows:

AN ACT to amend sections 13 and 23 of chapter 47 of the Session Laws of 1897, entitled "An act relating to banks and banking, providing for the organization, management, control, regulation and supervision of banks, and providing penalties for violation of the provisions of this act," and repealing sections 13 and 23, chapter 47, of the Session Laws of 1897.

And that it be passed as amended.

That Senate bill No. 33, An act designating the state treasurer as the fiscal agent of the state of Kansas, and regulating the same, and amending and repealing section 3155, General Statutes 1901, and all acts in conflict herewith, be passed.

That the enacting clause be stricken out of Senate bill No. 77, An act to amend chapter 125, Session Laws of 1907, being an act to amend section 949 of the General Statutes of Kansas.

That Senate bill No. 12, An act to authorize the erection and maintenance of water-works in the state of Kansas, be amended by striking out of section 1, line 6, the word "his" and insert the word "its"; also, amended as recommended by Committee on Judiciary.

W. B. HAM, *Chairman.*

Mr. Ham moved the adoption of the report of the committee of the whole, which motion prevailed.

Mr. Archer moved that an emergency be declared, the rules suspended, and that Senate bill No. 117 be placed on the Cal-

endar under the head of "Bills on Third Reading," which motion prevailed.

Mr. Leland moved that an emergency be declared, the rules suspended, and that Senate bill No. 132, An act making appropriation for legislative expenses, be read the second time.

Senate bill No. 132, An act making appropriation for legislative expenses, was thereupon read the second time.

Mr. Leland moved that a further emergency be declared, the rules suspended, and that Senate bill No. 132, An act making appropriation for legislative expenses, be placed on third reading, subject to amendment and debate, which motion prevailed.

Mr. Morgan moved that the House concur in Senate amendments to House concurrent resolution No. 10, Relating to the consideration of bills by the Ways and Means Committee and conference committee reports.

Mr. Morgan moved that the House do now adjourn to ten o'clock to-morrow morning, which motion prevailed.

THIRTEENTH DAY.

MORNING SESSION.

HALL OF THE HOUSE OF REPRESENTATIVES

January 30—10 A. M.

The House convened at ten o'clock, with the speaker in the chair.

The roll was called, and 108 gentlemen were present and answered to their names.

Gentlemen absent were: Messrs. Brown, Creech, Finley, Hendricks, Miller, O'Conner, Pohlman, Potts, Richardson, Richmond, Saunders, Warren, Westcott, and Wilson.

Gentlemen absent by leave were: Messrs. Creech, Hendricks, Warren, and Westcott.

Quorum present.

Prayer by the chaplain.

READING AND CORRECTION OF THE JOURNAL.

Mr. Kirtland moved that the further reading of the Journal be dispensed with and that it be referred to the Committee on supervision of the Journal, which motion prevailed.

ORIGINAL MOTIONS AND RESOLUTIONS.

Mr. Plumb offered House joint resolution No. 4, Relating to monument at Pawnee Rock, as follows:

WHEREAS, Benjamin P. Unruh, the owner of the historic spot on which Pawnee Rock is situated; has offered to donate to the state of Kansas the ground on which the rock stands and to sell sufficient ground for a roadway from it to the town of Pawnee Rock, and refuses to part with the land unless the state of Kansas will accept it as a gift; and

WHEREAS, The Woman's Kansas Day Club, assuming that the state will accept the gift, has undertaken to raise the means necessary to purchase said roadway, and intend to erect a suitable monument on the grounds, to restore the rock to its original form, and provide for the preservation of the place as a public memorial of the incidents which give it historical interest; and

WHEREAS, The preservation and maintenance of this spot as contemplated is a matter of public interest, and the efforts already made by the women of the Woman's Kansas Day Club to secure this place indicates that they will accomplish what they have undertaken: therefore, be it

Resolved by the Legislature of the State of Kansas, That the governor of the state of Kansas is hereby authorized to accept for the state of Kansas a deed to the said land and roadway whenever the same is tendered to him without expense to the state of Kansas.

Resolved, further, That the governor is authorized to appoint a board of trustees of said land after said gift is made, and when requested to do so by the executive committee of the Woman's Kansas Day Club; provided, that such trustees shall serve without compensation.

Mr. Plumb moved that an emergency be declared, the rules

suspended, and that House joint resolution No. 4 be read the second time, which motion prevailed.

House joint resolution No. 4, Relating to monument at Pawnee Rock, was thereupon read the second time.

Mr. Plumb moved that a further emergency be declared, the rules suspended, and that House joint resolution No. 4 be placed on third reading, subject to amendment and debate, which motion prevailed.

House joint resolution No. 4, Relating to monument at Pawnee Rock, was read the third time, and the question being, Shall the resolution be adopted? the roll was called, with the following result: Yeas 73, nays 1; absent or not voting, 48.

Members voting in favor of the adoption of the resolution were: Messrs. Adams, Archer, Banks, Beeson, Bird, Blaine, Boyle, Brandon, Brierley, Chatten, Clark, Cole, Cottingham, Cowan, Craddock, Crumly, Cunningham, Davidson of Sedgwick, Davis, Dennis, Edwards, Elstun, Enright, Flanigan, Fraser, Gordon, Ham, Helmick, Holdren of Montgomery, Husey, Hutcheson, Ingalls, Jeffries, Johnson, Jones Kiff, Kirtland, Lander, Lehman, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Myers, Peter, Plumb, Polley, Pomeroy, Price, Rall, Ransom, Reynard, Rich, Richmond, Rockefeller, Roush, Ryan, Schmidt, Shepard, Sipple, Skinner, Sourbeer, Sweeny, Swope, Tannahill, Thompson, Tredway, Umholtz, Wheeler, White, and Mr. Speaker Simmons.

Mr. Neihart voted in the negative.

Members absent or not voting were: Messrs. Berryman, Boggs, Brown, Creech, Curran, Davison of Marion, Finley, Fisher, Foley, Gants, Gesner, Grass, Guyer, Hart, Haskins, Hendricks, Holden of Wichita, Kinnison, Leland, Miller, Milligan, Mitchell, Montee, Morgan of Hodgeman, Morgan of Reno, Murphy, O'Conner, Oshant, Padgett, Patterson, Pohlman, Potts, Rhodes, Richardson, Rochester, Saunders, Sherer, Snyder, Stannard, Stockton, Stone, Stubbs, Taylor, Warren, Wells, Westcott, Wilson, and Woodhouse.

A constitutional majority having voted in favor of the adoption of the resolution, the resolution was adopted.

SECOND READING AND REFERENCE OF SENATE BILLS.

The following Senate bills were read the second time, and referred to committees indicated:

Ways and Means:

Senate bill No. 34, An act authorizing the employment of an additional stenographer in the office of the attorney-general, and making appropriation therefor.

Senate bill No. 129, An act making an appropriation to pay the traveling expenses of the Tax Commission and the employees of said commission in making appraisement and assessment of property for the year 1908.

Senate bill No. 131, An act making appropriations to pay sundry claims against the state.

Fees and Salaries:

Senate bill No. 126, An act to amend section 6080 of the Revised Statutes of 1901, and fixing the salary of the state treasurer, the assistant state treasurer and chief clerk of the state of Kansas.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed by the Senate to inform the House that the Senate has amended, and passed as amended, House bill No. 130, An act to provide for a bounty on pocket-gopher and ground-mole, and repealing all acts and parts of acts in conflict with this act.

Also, passed House bill No. 30, An act fixing the time for holding the regular term of the district court and the court of common pleas of Wyandotte county, Kansas.

Also, amended, and passed as amended, House bill No. 111, An act relating to banks and banking.

Also, has consented to the return of House bill No. 55.

The same are herewith transmitted. W. S. KRETSINGER, *Secretary*.

SECOND READING AND REFERENCE OF SENATE BILLS.

The following bills were read the second time:

Senate bill No. 71, An act to amend section 2 of chapter 408 of the Session Laws of 1907, relating to the creation of a Tax Commission, and defining the powers of such commission, etc.

Senate bill No. 84, An act to amend section 1, chapter 67, of the Session Laws of 1903, and to repeal said original section.

Senate bill No. 112, An act empowering the board of county commissioners of the county of Wyandotte to improve, macadamize and maintain a certain public highway, being supplemental to chapter 276 of the Laws of 1899, entitled "An act empowering the county of Wyandotte to improve and maintain certain highways and levy and collect taxes for that purpose."

Senate bill No. 113, An act empowering the county commissioners of Wyandotte county, Kansas, to improve, macadamize and maintain a certain public highway in Shawnee township, in said county.

Senate bill No. 127, An act for the improvement, maintenance, and for the purpose of buying additional grounds to the Mission Creek township cemetery, of Mission Creek township, Wabaunsee county, Kansas.

Senate bill No. 130, An act vacating a certain portion of the city of Fort Scott, Bourbon county, Kansas.

Mr. Kirtland moved that an emergency be declared, the rules suspended, and that Senate bills Nos. 71, 84, 112, 113, 127 and 130 be placed on third reading, subject to amendment and debate, which motion prevailed:

Mr. Kirtland moved that an emergency be declared, the rules suspended, and that Senate bill No. 65, An act concern-

ing assessment and taxation, and to amend section 12, article 3, of chapter 107 of the General Statutes of 1901, being section 7515 thereof, be placed on third reading, subject to amendment and debate, which motion prevailed.

Mr. Enright moved that an emergency be declared, the rules suspended, and that Senate bill No. 36, An act authorizing cities of the first class having a population of more than 50,000 to purchase, construct and contract for the construction of water-works, gas, electric-light and heating plants, to issue bonds for such purpose, be placed on third reading, subject to amendment and debate, which motion prevailed.

Mr. Wheeler moved that the rules be suspended, and that Senate bill No. 125 be stricken from the Calendar, which motion prevailed.

Mr. Kirtland moved that an emergency be declared, the rules suspended, and that all Senate bills reported favorably by the House committees this morning be placed on third reading, subject to amendment and debate, which motion prevailed.

REPORT OF STANDING COMMITTEE.

Mr. Leland, chairman of the Ways and Means Committee, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate bill No. 132, An act making appropriation for legislative expenses, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

C. LELAND, JR., *Chairman.*

Mr. Enright moved that the House concur in Senate amendments to House bill No. 129, An act regulating the control and management of fire departments in cities of the first class, providing for a system of civil service therein, and repealing all laws in conflict therewith.

The question being, Shall the House concur in Senate amendments to House bill No. 129? the roll was called, with the following result: Yeas 73, nays 1; absent or not voting, 48.

Members voting in the affirmative were: Messrs. Adams, Archer, Banks, Beeson, Bird, Blaine, Boyle, Brandon, Brierley, Chatten, Clark, Cole, Cottingham, Cowan, Craddock, Crumly, Cunningham, Davidson of Sedgwick, Davis, Dennis, Edwards, Elstun, Enright, Flanigan, Fraser, Gordon, Ham, Helmick, Holdren of Montgomery, Husey, Hutcheson, Ingalls, Jeffries, Johnson, Jones, Kiff, Kirtland, Lander, Lehman, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Myers, Peter, Plumb, Polley, Pomeroy, Price, Rall, Ransom, Reynard, Rich, Richmond, Rockefeller, Roush, Ryan, Schmidt, Shepard, Sipple, Skinner, Sourbeer, Sweeny, Swope, Tannahill, Thompson, Tredway, Umholtz, Wheeler, White, and Mr. Speaker Simmons.

Mr. Neihart voted in the negative.

Members absent or not voting were: Messrs. Berryman, Boggs, Brown, Creech, Curran, Davison of Marion, Finley, Fisher, Foley, Gants, Gesner, Grass, Guyer, Hart, Haskins, Hendricks, Holden of Wichita, Kinnison, Leland, Miller, Milligan, Mitchell, Montee, Morgan of Hodgeman, Morgan of Reno, Murphy, O'Conner, Oshant, Padgett, Patterson, Pohlman, Potts, Rhodes, Richardson, Rochester, Saunders, Sherer, Snyder, Stannard, Stockton, Stone, Stubbs, Taylor, Warren, Wells, Westcott, Wilson, and Woodhouse.

A constitutional majority having voted in favor of concurring in Senate amendments, the amendments were concurred in.

Mr. Holdren moved that the House concur in Senate amendments to House bill No. 132, An act authorizing the county commissioners of Montgomery county to levy an additional tax for the purposes of defraying county expenses in said county.

The question being, Shall the House concur in Senate amendments to House bill No. 132? the roll was called, with the following result: Yeas 73, nays 1; absent or not voting, 48.

Members voting in the affirmative were: Messrs. Adams, Archer, Banks, Beeson, Bird, Blaine, Boyle, Brandon, Brierley, Chatten, Clark, Cole, Cottingham, Cowan, Craddock, Crumly, Cunningham, Davidson of Sedgwick, Davis, Dennis, Edwards, Elstun, Enright, Flanigan, Fraser, Gordon, Ham, Helmick, Holdren of Montgomery, Husey, Hutcheson, Ingalls, Jeffries, Johnson, Jones, Kiff, Kirtland, Lander, Lehman, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Myers, Peter, Plumb, Polley, Pomeroy, Price, Rall, Ransom, Reynard, Rich, Richmond, Rockefeller, Roush, Ryan, Schmidt, Shepard, Sipple, Skinner, Sourbeer, Sweeny, Swope, Tannahill, Thompson, Tredway, Umholtz, Wheeler, White, and Mr. Speaker Simmons.

Mr. Neihart voted in the negative.

Members absent or not voting were: Messrs. Berryman, Boggs, Brown, Creech, Curran, Davison of Marion, Finley, Fisher, Foley, Gants, Gesner, Grass, Guyer, Hart, Haskins, Hendricks, Holden of Wichita, Kinnison, Leland, Miller, Milligan, Mitchell, Montee, Morgan of Hodgeman, Morgan of Reno, Murphy, O'Conner, Oshant, Padgett, Patterson, Pohlman, Potts, Rhodes, Richardson, Rochester, Saunders, Sherer, Snyder, Stannard, Stockton, Stone, Stubbs, Taylor, Warren, Wells, Westcott, Wilson, and Woodhouse.

A constitutional majority having voted in favor of concurring in Senate amendments, the amendments were concurred in.

Mr. Berryman moved that the House do non-concur in Senate amendments to House Bill No. 111, and ask that a conference committee be appointed, which motion prevailed.

Senate bill No. 65, An act concerning assessment and taxation, and to amend section 12, article 3, of chapter 107 of the General Statutes of 1901, being section 7515 thereof, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 73, nays 1; absent or not voting, 48.

Members voting in favor of the passage of the bill were: Messrs. Adams, Archer, Banks, Beeson, Bird, Blaine, Boyle, Brandon, Brierley, Chatten, Clark, Cole, Cottingham, Cowan, Craddock, Crumly, Cunningham, Davidson of Sedgwick, Davis, Dennis, Edwards, Elstun, Enright, Flanigan, Fraser, Gordon, Ham, Helmick, Holdren of Montgomery, Husey, Hutcheson, Ingalls, Jeffries, Johnson, Jones, Kiff, Kirtland, Lander, Lehman, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Myers, Peter, Plumb, Polley, Pomeroy, Price, Rall, Ransom, Reynard, Rich, Richmond, Rockefeller, Roush, Ryan, Schmidt, Shepard, Sipple, Skinner, Sourbeer, Sweeny, Swope, Tannahill, Thompson, Tredway, Umholtz, Wheeler, White, and Mr. Speaker Simmons.

Mr. Neihart voted in the negative.

Members absent or not voting were: Messrs. Berryman, Boggs, Brown, Creech, Curran, Davison of Marion, Finley, Fisher, Foley, Gants, Gesner, Grass, Guyer, Hart, Haskins, Hendricks, Holden of Wichita, Kinnison, Leland, Miller, Milligan, Mitchell, Montee, Morgan of Hodgeman, Morgan of Reno, Murphy, O'Conner, Oshant, Padgett, Patterson, Pohlman, Potts, Rhodes, Richardson, Rochester, Saunders, Sherer, Snyder, Stannard, Stockton, Stone, Stubbs, Taylor, Warren, Wells, Westcott, Wilson, and Woodhouse.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

Senate bill No. 36, An act authorizing cities of the first class having a population of more than 50,000 to purchase, construct and contract for the construction of water-works, gas, electric-light and heating plants, and to issue bonds for such purposes, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 73, nays 1; absent or not voting, 48.

Members voting in favor of the passage of the bill were: Messrs. Adams, Archer, Banks, Beeson, Bird, Blaine, Boyle, Brandon, Brierley, Chatten, Clark, Cole, Cottingham, Cowan, Craddock, Crumly, Cunningham, Davidson of Sedgwick, Davis, Dennis, Edwards, Elstun, Enright, Flanigan, Fraser, Gordon, Ham, Helmick, Holdren of Montgomery, Husey, Hutcheson, Ingalls, Jeffries, Johnson, Jones, Kiff, Kirtland, Lander, Lehman, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Myers, Peter, Plumb, Polley, Pomeroy, Price, Rall, Ransom, Reynard, Rich, Richmond, Rockefeller, Roush, Ryan, Schmidt, Shepard, Sipple, Skinner, Sourbeer, Sweeny, Swope, Tannahill,

Thompson, Tredway, Umholtz, Wheeler, White, and Mr. Speaker Simmons.

Mr. Neihart voted in the negative.

Members absent or not voting were: Messrs. Berryman, Boggs, Brown, Creech, Curran, Davison of Marion, Finley, Fisher, Foley, Gants, Gesner, Grass, Guyer, Hart, Haskins, Hendricks, Holden of Wichita, Kinnison, Leland, Miller, Milligan, Mitchell, Montee, Morgan of Hodgeman, Morgan of Reno, Murphy, O'Conner, Oshant, Padgett, Patterson, Pohlman, Potts, Rhodes, Richardson, Rochester, Saunders, Sherer, Snyder, Stannard, Stockton, Stone, Stubbs, Taylor, Warren, Wells, Westcott, Wilson, and Woodhouse.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

Senate bill No. 127, An act for the improvement, maintenance, and for the purpose of buying additional grounds to the Mission Creek township cemetery, of Mission Creek township, Wabaunsee county, Kansas, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 73, nays 1; absent or not voting, 48.

Members voting in favor of the passage of the bill were: Messrs. Adams, Archer, Banks, Beeson, Bird, Blaine, Boyle, Brandon, Brierley, Chatten, Clark, Cole, Cottingham, Cowan, Craddock, Crumly, Cunningham, Davidson of Sedgwick, Davis, Dennis, Edwards, Elstun, Enright, Flanigan, Fraser, Gordon, Ham, Helmick, Holdren of Montgomery, Husey, Hutcheson, Ingalls, Jeffries, Johnson, Jones, Kiff, Kirtland, Lander, Lehman, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Myers, Peter, Plumb, Polley, Pomeroy, Price, Rall, Ransom, Reynard, Rich, Richmond, Rockefeller, Roush, Ryan, Schmidt, Shepard, Sipple, Skinner, Sourbeer, Sweeny, Swope, Tannahill, Thompson, Tredway, Umholtz, Wheeler, White, and Mr. Speaker Simmons.

Mr. Neihart voted in the negative.

Members absent or not voting were: Messrs. Berryman, Boggs, Brown, Creech, Curran, Davison of Marion, Finley, Fisher, Foley, Gants, Gesner, Grass, Guyer, Hart, Haskins, Hendricks, Holden of Wichita, Kinnison, Leland, Miller, Milligan, Mitchell, Montee, Morgan of Hodgeman, Morgan of Reno, Murphy, O'Conner, Oshant, Padgett, Patterson, Pohlman, Potts, Rhodes, Richardson, Rochester, Saunders, Sherer, Snyder, Stannard, Stockton, Stone, Stubbs, Taylor, Warren, Wells, Westcott, Wilson, and Woodhouse.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

Senate bill No. 113, An act empowering the county commissioners of Wyandotte county, Kansas, to improve, macadamize and maintain a certain public highway in Shawnee township, in said county, was read the third time, and the question being,

Shall the bill pass? the roll was called, with the following result: Yeas 73, nays 1; absent or not voting, 48.

Members voting in favor of the passage of the bill were: Messrs. Adams, Archer, Banks, Beeson, Bird, Blaine, Boyle, Brandon, Brierley, Chatten, Clark, Cole, Cottingham, Cowan, Craddock, Crumly, Cunningham, Davidson of Sedgwick, Davis, Dennis, Edwards, Elstun, Enright, Flanigan, Fraser, Gordon, Ham, Helmick, Holdren of Montgomery, Husey, Hutcheson, Ingalls, Jeffries, Johnson, Jones, Kiff, Kirtland, Lander, Lehman, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Myers, Peter, Plumb, Polley, Pomeroy, Price, Rall, Ransom, Reynard, Rich, Richmond, Rockefeller, Roush, Ryan, Schmidt, Shepard, Sipple, Skinner, Sourbeer, Sweeny, Swope, Tannahill, Thompson, Tredway, Umholtz, Wheeler, White, and Mr. Speaker Simmons.

Mr. Neihart voted in the negative.

Members absent or not voting were: Messrs. Berryman, Boggs, Brown, Creech, Curran, Davison of Marion, Finley, Fisher, Foley, Gants, Gesner, Grass, Guyer, Hart, Haskins, Hendricks, Holden of Wichita, Kinnison, Leland, Miller, Milligan, Mitchell, Montee, Morgan of Hodgeman, Morgan of Reno, Murphy, O'Conner, Oshant, Padgett, Patterson, Pohlman, Potts, Rhodes, Richardson, Rochester, Saunders, Sherer, Snyder, Stannard, Stockton, Stone, Stubbs, Taylor, Warren, Wells, Westcott, Wilson, and Woodhouse.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

Senate bill No. 115, An act to amend section 994, Statutes of Kansas, 1901, relating to the powers of city councils of cities of second class, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 73, nays 1; absent or not voting, 48.

Members voting in favor of the passage of the bill were: Messrs. Adams, Archer, Banks, Beeson, Bird, Blaine, Boyle, Brandon, Brierley, Chatten, Clark, Cole, Cottingham, Cowan, Craddock, Crumly, Cunningham, Davidson of Sedgwick, Davis, Dennis, Edwards, Elstun, Enright, Flanigan, Fraser, Gordon, Ham, Helmick, Holdren of Montgomery, Husey, Hutcheson, Ingalls, Jeffries, Johnson, Jones, Kiff, Kirtland, Lander, Lehman, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Myers, Peter, Plumb, Polley, Pomeroy, Price, Rall, Ransom, Reynard, Rich, Richmond, Rockefeller, Roush, Ryan, Schmidt, Shepard, Sipple, Skinner, Sourbeer, Sweeny, Swope, Tannahill, Thompson, Tredway, Umholtz, Wheeler, White, and Mr. Speaker Simmons.

Mr. Neihart voted in the negative.

Members absent or not voting were: Messrs. Berryman, Boggs, Brown, Creech, Curran, Davison of Marion, Finley, Fisher, Foley, Gants, Gesner, Grass, Guyer, Hart, Haskins, Hendricks, Holden of Wichita, Kinnison, Leland, Miller, Milli-

gan, Mitchell, Montee, Morgan of Hodgeman, Morgan of Reno, Murphy, O'Conner, Oshant, Padgett, Patterson, Pohlman, Potts, Rhodes, Richardson, Rochester, Saunders, Sherer, Snyder, Stannard, Stockton, Stone, Stubbs, Taylor, Warren, Wells, Westcott, Wilson, and Woodhouse.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

Senate bill No. 112, An act empowering the board of county commissioners of the county of Wyandotte to improve, macadamize and maintain a certain public highway, being supplemental to chapter 276 of the Laws of 1899, entitled "An act empowering the county of Wyandotte to improve and maintain certain highways and levy and collect taxes for that purpose," was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 73, nays 1; absent or not voting, 48.

Members voting in favor of the passage of the bill were: Messrs. Adams, Archer, Banks, Beeson, Bird, Blaine, Boyle, Brandon, Brierley, Chatten, Clark, Cole, Cottingham, Cowan, Craddock, Crumly, Cunningham, Davidson of Sedgwick, Davis, Dennis, Edwards, Elstun, Enright, Flanigan, Fraser, Gordon, Ham, Helmick, Holdren of Montgomery, Husey, Hutcheson, Ingalls, Jeffries, Johnson, Jones, Kiff, Kirtland, Lander, Lehman, Lennen, Leydig, McGillivray, Martin, Mayhew, Mercer, Myers, Peter, Plumb, Polley, Pomeroy, Price, Rall, Ransom, Reynard, Rich, Richmond, Rockefeller, Roush, Ryan, Schmidt, Shepard, Sipple, Skinner, Sourbeer, Sweeny, Swope, Tannahill, Thompson, Tredway, Umholtz, Wheeler, White, and Mr. Speaker Simmons.

Mr. Neihart voted in the negative.

Members absent or not voting were: Messrs. Berryman, Boggs, Brown, Creech, Curran, Davison of Marion, Finley, Fisher, Foley, Gants, Gesner, Grass, Guyer, Hart, Haskins, Hendricks, Holden of Wichita, Kinnison, Leland, Miller, Milligan, Mitchell, Montee, Morgan of Hodgeman, Morgan of Reno, Murphy, O'Conner, Oshant, Padgett, Patterson, Pohlman, Potts, Rhodes, Richardson, Rochester, Saunders, Sherer, Snyder, Stannard, Stockton, Stone, Stubbs, Taylor, Warren, Wells, Westcott, Wilson, and Woodhouse.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 83, An act making an appropriation to the state printing plant, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 75, nays 0; absent or not voting, 47.

Members voting in favor of the passage of the bill were: Messrs. Adams, Archer, Banks, Beeson, Berryman, Brandon, Brierley, Brown, Chatten, Clark, Cole, Cottingham, Cowan, Craddock, Crumly, Cunningham, Curran, Davis, Elstun, En-

right, Fraser, Gordon, Grass, Ham, Hart, Haskins, Helmick, Holden of Wichita, Holdren of Montgomery, Husey, Ingalls, Jeffries, Johnson, Kiff, Kirtland, Lehman, Leland, Lennen, McGillivray, Martin, Mayhew, Mercer, Mitchell, Montee, Morgan of Hodgeman, Morgan of Reno, Murphy, Padgett, Peter, Plumb, Pohlman, Polley, Pomeroy, Potts, Price, Richardson, Rochester, Rockefeller, Roush, Shepard, Sherer, Sipple, Skinner, Sourbeer, Stockton, Stone, Stubbs, Swope, Tannahill, Thompson, Tredway, Umholtz, Wheeler, White, and Woodhouse.

Members absent or not voting were: Messrs. Bird, Blaine, Boggs, Boyle, Creech, Davidson of Sedgwick, Davison of Marion, Dennis, Edwards, Finley, Fisher, Flanigan, Foley, Gants, Gesner, Guyer, Hendricks, Hutcheson, Jones, Kinnison, Lander, Leydig, Miller, Milligan, Myers, Neihart, O'Conner, Oshant, Patterson, Rall, Ransom, Reynard, Rhodes, Rich, Richmond, Ryan, Saunders, Schmidt, Snyder, Stannard, Sweeny, Taylor, Warren, Wells, Westcott, Wilson, and Mr. Speaker Simmons.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

Senate bill No. 108, An act amending section 5 of chapter 23 of the Session Laws of 1907, relating to the hard-fiber twine plant of the Kansas State Penitentiary, at Lansing, and making an appropriation for the operation thereof, and providing for the payment of salary of clerk and cashier of said plant, was read the third time.

Mr. Leland moved that the committee amendments be adopted, which motion prevailed.

The question being, Shall the bill pass as amended? the roll was called, with the following result: Yeas 75, nays 0; absent or not voting, 47.

Members voting in favor of the passage of the bill were: Messrs. Adams, Archer, Banks, Beeson, Berryman, Brandon, Brierley, Brown, Chatten, Clark, Cole, Cottingham, Cowan, Craddock, Crumly, Cunningham, Curran, Davis, Elstun, Enright, Fraser, Gordon, Grass, Ham, Hart, Haskins, Helmick, Holden of Wichita, Holdren of Montgomery, Husey, Ingalls, Jeffries, Johnson, Kiff, Kirtland, Lehman, Leland, Lennen, McGillivray, Martin, Mayhew, Mercer, Mitchell, Montee, Morgan of Hodgeman, Morgan of Reno, Murphy, Padgett, Peter, Plumb, Pohlman, Polley, Pomeroy, Potts, Price, Richardson, Rochester, Rockefeller, Roush, Shepard, Sherer, Sipple, Skinner, Sourbeer, Stockton, Stone, Stubbs, Swope, Tannahill, Thompson, Tredway, Umholtz, Wheeler, White, and Woodhouse.

Members absent or not voting were: Messrs. Bird, Blaine, Boggs, Boyle, Creech, Davidson of Sedgwick, Davison of Marion, Dennis, Edwards, Finley, Fisher, Flanigan, Foley,

Gants, Gesner, Guyer, Hendricks, Hutcheson, Jones, Kinnison, Lander, Leydig, Miller, Milligan, Myers, Neihart, O'Conner, Oshant, Patterson, Rall, Ransom, Reynard, Rhodes, Rich, Richmond, Ryan, Saunders, Schmidt, Snyder, Stannard, Sweeny, Taylor, Warren, Wells, Westcott, Wilson, and Mr. Speaker Simmons.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

Senate bill No. 132, An act making appropriation for legislative expenses, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 75, nays 0; absent or not voting, 47.

Members voting in favor of the passage of the bill were: Messrs. Adams, Archer, Banks, Beeson, Berryman, Brandon, Brierley, Brown, Chatten, Clark, Cole, Cottingham, Cowan, Craddock, Crumly, Cunningham, Curran, Davis, Elstun, Enright, Fraser, Gordon, Grass, Ham, Hart, Haskins, Helmick, Holden of Wichita, Holdren of Montgomery, Husey, Ingalls, Jeffries, Johnson, Kiff, Kirtland, Lehman, Leland, Lennen, McGillivray, Martin, Mayhew, Mercer, Mitchell, Montee, Morgan of Hodgeman, Morgan of Reno, Murphy, Padgett, Peter, Plumb, Pohlman, Polley, Pomeroy, Potts, Price, Richardson, Rochester, Rockefeller, Roush, Shepard, Sherer, Sipple, Skinner, Sourbeer, Stockton, Stone, Stubbs, Swope, Tannahill, Thompson, Tredway, Umholtz, Wheeler, White, and Woodhouse.

Members absent or not voting were: Messrs. Bird, Blaine, Boggs, Boyle, Creech, Davidson of Sedgwick, Davison of Marion, Dennis, Edwards, Finley, Fisher, Flanigan, Foley, Gants, Gesner, Guyer, Hendricks, Hutcheson, Jones, Kinnison, Lander, Leydig, Miller, Milligan, Myers, Neihart, O'Conner, Oshant, Patterson, Rall, Ransom, Reynard, Rhodes, Rich, Richmond, Ryan, Saunders, Schmidt, Snyder, Stannard, Sweeny, Taylor, Warren, Wells, Westcott, Wilson, and Mr. Speaker Simmons.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

Senate bill No. 31, An act amending section 434 of the General Statutes, 1901, relating to banks and banking, and repealing original section 434 and all acts or parts of acts in conflict therewith, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 66, nays 8; absent or not voting, 48.

Members voting in favor of the passage of the bill were: Messrs. Banks, Blaine, Boggs, Boyle, Brandon, Cole, Cottingham, Cowan, Craddock, Crumly, Cunningham, Dennis, Elstun, Enright, Fraser, Ham, Holdren of Montgomery, Husey, Jeffries, Johnson, Jones, Kiff, Kirtland, Leland, Lennen, McGillivray, Mercer, Miller, Milligan, Mitchell, Morgan of Hodge-

man, Morgan of Reno, Murphy, Myers, Padgett, Peter, Plumb, Pohlman, Polley, Pomeroy, Rall, Reynard, Rhodes, Rich, Rochester, Rockefeller, Roush, Schmidt, Shepard, Sherer, Sipple, Skinner, Sourbeer, Stockton, Stone, Stubbs, Sweeny, Swope, Taylor, Thompson, Tredway, Umholtz, Wells, Wheeler, White, and Wilson.

Members voting in the negative were: Messrs. Adams, Bird, Gordon, Hart, Martin, Neihart, Ryan, and Tannahill.

Members absent or not voting were: Messrs. Archer, Beeson, Berryman, Brierley, Brown, Chatten, Clark, Creech, Curran, Davidson of Sedgwick, Davis, Davison of Marion, Edwards, Finley, Fisher, Flanigan, Foley, Gants, Gesner, Grass, Guyer, Haskins, Helmick, Hendricks, Holden of Wichita, Hutcheson, Ingalls, Kinnison, Lander, Lehman, Leydig, Mayhew, Montee, O'Conner, Oshant, Patterson, Potts, Price, Ransom, Richardson, Richmond, Saunders, Snyder, Stannard, Warren, Westcott, Woodhouse, and Mr. Speaker Simmons.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

Senate bill No. 32, An act to amend section 1 of chapter 68 of the Session Laws of 1903, being section 408 of the General Statutes of 1901, as repealed by said act of 1903, relating to the management and control of banking, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 76, nays 0; absent or not voting, 46.

Members voting in favor of the passage of the bill were: Messrs. Banks, Berryman, Bird, Blaine, Boggs, Boyle, Brandon, Chatten, Clark, Cole, Cottingham, Cowan, Crumly, Cunningham, Curran, Davidson of Sedgwick, Davis, Dennis, Edwards, Elstun, Enright, Finley, Flanigan, Foley, Fraser, Gordon, Ham, Hart, Holden of Wichita, Husey, Hutcheson, Ingalls, Jeffries, Johnson, Jones, Kiff, Kirtland, Lander, Lehman, Leland, McGillivray, Martin, Mayhew, Mercer, Mitchell, Morgan of Reno, Murphy, Myers, Padgett, Patterson, Peter, Plumb, Polley, Pomeroy, Price, Rall, Reynard, Rhodes, Rich, Richmond, Rochester, Schmidt, Shepard, Sherer, Sipple, Skinner, Sourbeer, Stockton, Stone, Swope, Taylor, Thompson, Tredway, White, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Adams, Archer, Beeson, Brierley, Brown, Craddock, Creech, Davison of Marion, Fisher, Gants, Gesner, Grass, Guyer, Haskins, Helmick, Hendricks, Holdren of Montgomery, Kinnison, Lennen, Leydig, Miller, Milligan, Montee, Morgan of Hodgeman, Neihart, O'Conner, Oshant, Pohlman, Potts, Ransom, Richardson, Rockefeller, Roush, Ryan, Saunders, Snyder, Stannard, Stubbs, Sweeny, Tannahill, Umholtz, Warren, Wells, Westcott, Wheeler, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

Senate bill No. 84, An act to amend section 1, chapter 67, of the Session Laws of 1903, and to repeal said original section, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 76, nays 0; absent or not voting, 46.

Members voting in favor of the passage of the bill were: Messrs. Banks, Berryman, Bird, Blaine, Boggs, Boyle, Brandon, Chatten, Clark, Cole, Cottingham, Cowan, Crumly, Cunningham, Curran, Davidson of Sedgwick, Davis, Dennis, Edwards, Elstun, Enright, Finley, Flanigan, Foley, Fraser, Gordon, Ham, Hart, Holden of Wichita, Husey, Hutcheson, Ingalls, Jeffries, Johnson, Jones, Kiff, Kirtland, Lander, Lehman, Leland, McGillivray, Martin, Mayhew, Mercer, Mitchell, Morgan of Reno, Murphy, Myers, Padgett, Patterson, Peter, Plumb, Polley, Pomeroy, Price, Rall, Reynard, Rhodes, Rich, Richmond, Rochester, Schmidt, Shepard, Sherer, Sipple, Skinner, Sourbeer, Stockton, Stone, Swope, Taylor, Thompson, Tredway, White, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Adams, Archer, Beeson, Brierley, Brown, Craddock, Creech, Davison of Marion, Fisher, Gants, Gesner, Grass, Guyer, Haskins, Helmick, Hendricks, Holdren of Montgomery, Kinnison, Lennen, Leydig, Miller, Milligan, Montee, Morgan of Hodgeman, Neihart, O'Conner, Oshant, Pohlman, Potts, Ransom, Richardson, Rockefeller, Roush, Ryan, Saunders, Snyder, Stannard, Stubbs, Sweeny, Tannahill, Umholtz, Warren, Wells, Westcott, Wheeler, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

Senate bill No. 33, An act designating the state treasurer as the fiscal agent of the state of Kansas, and regulating the same, and amending and repealing section 3155, General Statutes, 1901, and all acts in conflict herewith, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 76, nays 1; absent or not voting, 45.

Members voting in favor of the passage of the bill were: Messrs. Adams, Archer, Banks, Beeson, Bird, Blaine, Boggs, Brandon, Chatten, Clark, Cole, Cottingham, Cowan, Craddock, Crumly, Cunningham, Curran, Davidson of Sedgwick, Davis, Davison of Marion, Finley, Fraser, Gants, Gordon, Grass, Guyer, Ham, Hart, Haskins, Holden of Wichita, Husey, Hutcheson, Ingalls, Jeffries, Johnson, Jones, Kiff, Kirtland, Lander, Leland, Lennen, Leydig, Martin, Mayhew, Mercer, Miller, Montee, Morgan of Reno, Murphy, Myers, Neihart, Padgett, Patterson, Peter, Plumb, Pohlman, Pomeroy, Price, Rall, Reynard, Rhodes, Rich, Roush, Schmidt, Sipple, Skinner, Sourbeer, Tannahill, Taylor, Thompson, Tredway, Umholtz, Wheeler, White, Wilson, Woodhouse, and Mr. Speaker Simmons.

Mr. Mitchell voted in the negative.

Members absent or not voting were: Messrs. Berryman, Boyle, Brierley, Brown, Creech, Dennis, Edwards, Elstun, Enright, Fisher, Flanigan, Foley, Gesner, Helmick, Hendricks, Holdren of Montgomery, Kinnison, Leland, McGillivray, Milligan, Morgan of Hodgeman, O'Conner, Oshant, Polley, Potts, Ransom, Richardson, Richmond, Rochester, Rockefeller, Ryan, Saunders, Shepard, Sherer, Snyder, Stannard, Stockton, Stone, Stubbs, Sweeny, Swope, Warren, Wells, Westcott, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

Mr. Speaker Simmons appointed, as conferees on the part of the House on House bill No. 111, Messrs. Ham, Berryman, and Pomeroy.

Mr. Speaker Simmons also appointed, as conferees on the part of the House on Senate bill No. 108, Messrs. Beeson, Snyder, and Rich.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,

TOPEKA, January 29, 1908.

To the Senate and House of Representatives:

Before final action is taken upon the proposition to guarantee deposits in the banks of this state it is due to the executive department and to the legislative department alike that certain facts be made perfectly clear.

Strenuous efforts have been made by the opponents of this proposition to cloud the issue with the contention that such a law will be unjust to the 200 national banks of this state, for the alleged reason that they will not be permitted to participate in its operation. On the 20th of this month a press dispatch from Washington appeared simultaneously in daily papers circulating in this state, stating that the comptroller of the currency had that day mailed a letter to me giving his opinion adverse to the participation of national banks in such a law. A copy of this letter was sent to a distinguished member of the state Senate on the following day, viz., the 21st day of January. This letter from the comptroller has never reached me, and on the evening of the 27th of this month I telegraphed to the comptroller to know whether any such letter had been written and sent to me. On the 28th I received a telegraphic reply saying that the comptroller was out of the city, but that copy of press copy was mailed to me yesterday, which has not yet reached me. In this letter the comptroller expresses an adverse opinion to the participation of the national banks of Oklahoma in the new guaranty law of that state, and the pretext for this opinion by the comptroller is stated by him in this letter in the following language: "If the opinion of Mr. Robertson, cashier of the First National Bank of Lawton, Okla., is correct, no such application by any national bank in Oklahoma will be made."

Now, I have had three telegrams, two from the comptroller's office. and one from the governor of Oklahoma, within the last three weeks, stating that the comptroller would make no ruling in reference to this matter until a concrete contract has been agreed to by some national bank in Oklahoma with the state authorities, when the proposition would be put up to the attorney-general of the United States for his opinion. If this letter from the comptroller of the currency is genuine he has departed from this announced policy of waiting for an opinion from the attorney-general before ruling upon the proposition himself, and if he bases this departure upon the information which he says he had obtained from Mr. Robertson, an Oklahoma national banker, to the effect that the national banks of that state would not ask to participate in the new law, he is

certainly mistaken in his premises. In addition to this letter trying to convince this Legislature that the national banks of Oklahoma cannot participate in their new law there was printed in the *Topeka Capital*, on Sunday morning, January 26, a letter from Mr. C. De Roberts, president of the First National Bank of Commerce, of Ponca City, Okla., addressed to Mr. C. Q. Chandler, owner of the large chain of banks with headquarters at Wichita, in which Mr. De Roberts says, "There are 300 national banks in Oklahoma that do not want insurance in this state law." That is to say, none of the national banks in Oklahoma want to participate, for there are just 300 national banks in that state. In addition to this, Mr. De Roberts says, "You can say to the governor of your state that these 300 banks will fight to keep from coming under the law instead of getting insurance under it."

Now, I am this day, January 29, in receipt of a letter from the governor of Oklahoma, in which he says, "Between Sunday morning and noon to-day (Tuesday) forty-seven of our national banks have requested the examination by our banking commissioner preliminary to admitting them on February 15." I am also this day in receipt of a telegram from Sen. Robert L. Owen, of Oklahoma, himself one of the most prominent national bankers in Oklahoma, in which he says, "A vote of stockholders of any national bank would give complete justification for the purpose of insurance under the state plan." The governor of Oklahoma also writes me this morning, "I have it through certain of our national bankers that the comptroller of the currency feels that if the interests of the depositors in national banks are protected, that the equity in bank assets is the property of the stockholders of the bank to deal with." In other words, according to this information arrangements are already being made by which the national banks of Oklahoma may be permitted to participate in their new state law.

And I want to go on record, gentlemen, in predicting that if you adjourn without passing a depositors' guaranty law it will not be thirty days until practically all the national banks of Oklahoma will be participating in the benefits of their law, and if you refuse to pass this law for Kansas you should do it with these facts in your possession. The national banks of Oklahoma are scrambling this very day to get under the protection of their guaranty law.

If this measure is defeated by the Kansas Legislature it will not end the controversy. It will simply project it into the campaign, to the serious detriment of the banks and all the business interests of this state. The attempt to belittle this proposition by characterizing it as a paternal proposition hardly appeals to intelligent, thoughtful people, who remember that many of the men who do this have for ninety days practiced the most extreme paternalism in limiting, wisely, under the circumstances, the amounts which their depositors could withdraw on check out of funds which they had deposited with the understanding that it could all be withdrawn at any time. Such an argument from such a source is hardly conclusive on this important subject. Nor will it do to try to belittle this proposition and ridicule it out of legislative councils. When an eminent soldier, patriot and financier like Gen. A. B. Nettleton, ex-secretary of the treasury, writes me such a letter as I received a few days ago, and which was reprinted in the daily newspapers of this city, favoring this project; when ex-Comptroller Charles G. Dawes, one of the ablest financiers in this country, writes a book on the subject, a copy of which he has sent me; when the present chairman of the committee on banks and banking of the House, Hon. Charles N. Fowler, has introduced a guaranty bill into this session of Congress; when similar bills have been introduced by two congressmen from this state, Messrs. Reeder and Campbell, the former a prominent national banker; when a great merchant like Mr. Alexander H. Revell, of Chicago, advocates this policy; when eminent statesmen and publicists all over the country are advocating it, it would hardly do to dismiss the subject with the assertion that it is a chimerical scheme advocated only by demagogues and impractical people and opposed by all conservative bankers.

The proposition is simple and fundamental. It is based on the sound principle that banks are not only commercial but are also police necessities; that they are necessary not only for business interests, but for protection of life and money as well; that the banker is in a correct sense the agent and servant of the people; that his institution is not chartered by the state and hedged about by its laws primarily in his interests, but primarily in the interests of the people; that the banker borrows from his patrons as certainly and directly as his patrons borrow from him; that they are as much entitled to security as he is; that inasmuch as government is for the weakest as well as the strongest, it is inconsistent for the state to require guaranty for its own deposits and deny this guaranty to individuals; that the best interests of the bankers themselves are subserved by strengthening the confidence of their depositors; that this wise provision will do this; and that this law is in the interest of all the banks, national and state, and of all the people of Kansas. Profoundly impressed with this conviction, and believing that an overwhelming majority of the people of the state will be disappointed if this Legislature adjourns without the enactment of a wise, carefully guarded depositors' guaranty law, I make this final appeal.

E. W. HOCH, *Governor.*

Mr. Kirtland moved that the House take a recess until 1:30 P. M., which motion prevailed.

AFTERNOON SESSION.

The House reconvened at 1:30, with the speaker in the chair.

ORIGINAL MOTIONS AND RESOLUTIONS.

Mr. Grass offered House joint resolution No. 5, Relating to the appointment of a committee to draft a guaranty deposit bill and to report the same at the next session of the Legislature, and providing an appropriation therefor.

Mr. Grass moved that an emergency be declared, the rules suspended, and that House joint resolution No. 5 be read a second time.

Mr. Leland moved as a substitute to lay the same on the table, which motion prevailed.

Mr. Stone offered House concurrent resolution No. 12, Relating to final adjournment.

Mr. Stone moved that an emergency be declared, the rules suspended, and that House concurrent resolution No. 12 be placed on second reading, which motion did not prevail.

REPORTS OF STANDING COMMITTEES.

Mr. Morgan, chairman of the Committee on Railroads, submitted the following report:

MR. SPEAKER: Your Committee on Railroads, to whom was referred House bill No. 68, An act to regulate the maintenance of railway road-bed and tracks within the state of Kansas, and to insure the safety of railway travelers and employees, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be not passed, another bill having been recommended covering the same subject.

W. Y. MORGAN, *Chairman.*

Mr. Montee, chairman of the Committee on Fees and Salaries, submitted the following report:

MR. SPEAKER: Your Committee on Fees and Salaries, to whom was referred Senate bill No. 126, An act to amend section 6080 of the Revised Statutes of 1901, and fixing the salary of the state treasurer, the assistant state treasurer and chief clerk of the state of Kansas, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

J. W. MONTEE, *Chairman.*

Mr. Kirtland moved that an emergency be declared, the rules suspended, and that substitute for Senate bill No. 42, now on "General Orders," be placed on third reading, subject to amendment and debate, which motion prevailed.

Mr. White moved that an emergency be declared, the rules suspended, and that Senate bill No. 124, now under the head of "General Orders," be placed on third reading, subject to amendment and debate, which motion prevailed.

Mr. Holdren moved that an emergency be declared, the rules suspended, and that Senate bill No. 126, reported favorably by the Committee on Fees and Salaries, be placed on third reading, subject to amendment and debate, which motion prevailed.

THIRD READING OF BILLS.

Senate bill No. 117, An act amending section 1 of chapter 305 of the Session Laws of Kansas of 1901, and repealing said original section 1, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 45, nays 46; absent or not voting, 31.

Members voting in favor of the passage of the bill were: Messrs. Adams, Archer, Bird, Blaine, Boggs, Brierley, Chat-ten, Cole, Craddock, Cunningham, Elstun, Enright, Fraser, Gordon, Grass, Guyer, Hart, Holdren of Montgomery, Ingalls, Johnson, Jones, Kirtland, Lander, Leland, Lennen, Martin, Mercer, Miller, Montee, Padgett, Pohlman, Polley, Price, Reynard, Rochester, Sherer, Sipple, Skinner, Sourbeer, Stone, Sweeny, Tredway, Umholtz, Wheeler, and Mr. Speaker Simmons.

Members voting in the negative were: Messrs. Banks, Brandon, Clark, Cottingham, Cowan, Crumly, Davis, Davison of Marion, Dennis, Finley, Flanigan, Foley, Ham, Haskins, Holden of Wichita, Husey, Hutcheson, Jeffries, Kiff, Leydig, Mayhew, Mitchell, Morgan of Hodgeman, Morgan of Reno, Murphy, Neihart, Patterson, Peter, Plumb, Pomeroy, Rall, Ransom, Rhodes, Rich, Richmond, Roush, Ryan, Schmidt, Shepard, Stockton, Stubbs, Swope, Tannahill, Thompson, Wells, and White.

Members absent or not voting were: Messrs. Beeson, Berryman, Boyle, Brown, Creech, Curran, Davidson of Sedgwick, Edwards, Fisher, Gants, Gesner, Helmick, Hendricks, Kinnison, Lehman, McGillivray, Milligan, Myers, O'Conner, Oshant,

Potts, Richardson, Rockefeller, Saunders, Snyder, Stannard, Taylor, Warren, Westcott, Wilson, and Woodhouse.

A constitutional majority not having voted in favor of the passage of the bill, the bill was lost.

Senate bill No. 72, An act to amend section 1 of chapter 146 of the Session Laws of the state of Kansas of 1891, relating to mechanic's lien, was read the third time.

Mr. Foley moved to amend by inserting, after "Section 1," the following words: "That section 1 of chapter 146 of the Session Laws of the state of Kansas of 1891 be amended to read as follows," which motion prevailed.

Mr. Stone moved to amend by inserting the following as section 2, and that old section 2 be renumbered section 3:

SEC. 2. That section 1 of chapter 146 of the Session Laws of the state of Kansas of 1891 be and the same are hereby repealed,

which motion prevailed.

Mr. Stone moved to amend the title to read as follows:

That section 1 of chapter 146 of the Session Laws of the state of Kansas of 1891 be and the same is hereby repealed,

which motion prevailed.

The question being, Shall the bill pass as amended? the roll was called, with the following result: Yeas 56, nays 18; absent or not voting, 48.

Members voting in favor of the passage of the bill were: Messrs. Adams, Archer, Banks, Beeson, Berryman, Bird, Brierley, Cole, Cottingham, Cowan, Cunningham, Davis, Dennis, Elstun, Enright, Finley, Flanigan, Foley, Gordon, Ham, Hart, Holdren of Montgomery, Ingalls, Jeffries, Jones, Kirtland, Lander, Lehman, Leland, Lennen, Mayhew, Mercer, Miller, Milligan, Mitchell, Morgan of Hodgeman, Murphy, Padgett, Peter, Pohlman, Polley, Pomeroy, Rall, Ransom, Rich, Rockefeller, Sipple, Skinner, Snyder, Sourbeer, Sweeny, Swope, Tannahill, Thompson, Umholtz, and Wheeler.

Members voting in the negative were: Messrs. Blaine, Boggs, Boyle, Crumly, Davidson of Sedgwick, Davison of Marion, Haskins, Holden of Wichita, Husey, Leydig, Morgan of Reno, Reynard, Rhodes, Richmond, Ryan, Stockton, Taylor, and Tredway.

Members absent or not voting were: Messrs. Brandon, Brown, Chatten, Clark, Craddock, Creech, Curran, Edwards, Fisher, Fraser, Gants, Gesner, Grass, Guyer, Helmick, Hendricks, Hutcheson, Johnson, Kiff, Kinnison, McGillivray, Martin, Montee, Myers, Neihart, O'Conner, Oshant, Patterson, Plumb, Potts, Price, Rochester, Saunders, Schmidt, Shepard, Sherer, Stannard, Stone, Stubbs, Warren, Wells, Westcott, Wilson, Woodhouse, and Mr. Speaker Simmons.

A constitutional majority not having voted in favor of the passage of the bill, the bill was lost.

Substitute for Senate bill No. 42, An act providing for a registration fee on mortgages on real property and for their exemption from taxation after being recorded, regulating the effect of non-payment of registration fee, and prohibiting the enforcement of mortgages upon which registration fee has not been paid as therein provided, and repealing all acts and parts of acts in conflict therewith, was read the third time.

Mr. Mitchell moved to amend section 1, line 2, by striking out the word "article" and inserting in lieu thereof the word "act," which motion prevailed.

Mr. Ham moved to amend section 1, line 9, by changing the word "effects" to read "affects," which motion prevailed.

Mr. Bird moved to amend section 3, line 8, by striking out the word "article" and inserting in lieu thereof the word "act," which motion prevailed.

Mr. White moved to amend section 4 by striking out all after the word "provided," in line 3, down to the word "such" in line 5, which motion prevailed.

Mr. Cowan moved to amend section 8 by inserting after word "in" in the first line the words "so far as they," which motion prevailed.

The question being, Shall the bill pass as amended? the roll was called, with the following result: Yeas 42, nays 45; absent or not voting, 35.

Members voting in favor of the passage of the bill were: Messrs. Archer, Berryman, Bird, Brandon, Brierley, Chatten, Crumly, Davison of Marion, Edwards, Gants, Grass, Helmick, Husey, Hutcheson, Jeffries, Kirtland, Lehman, Leland, Mayhew, Miller, Milligan, Morgan of Hodgeman, Morgan of Reno, Murphy, Peter, Rall, Ransom, Reynard, Rhodes, Richmond, Rockefeller, Roush, Stockton, Stubbs, Tannahill, Taylor, Thompson, Tredway, Wheeler, White, Woodhouse, and Mr. Speaker Simmons.

Members voting in the negative were: Messrs. Banks, Beeson, Blaine, Boggs, Cole, Cottingham, Cowan, Cunningham, Davis, Dennis, Elstun, Flanigan, Foley, Fraser, Gordon, Ham, Hart, Holden of Wichita, Holdren of Montgomery, Ingalls, Johnson, Jones, Lander, Lennen, Leydig, Mercer, Mitchell, Neihart, Padgett, Plumb, Polley, Pomeroy, Price, Rich, Ryan, Schmidt, Shepard, Sipple, Skinner, Snyder, Sourbeer, Stone, Sweeny, Swope, Umholtz, and Wells.

Members absent or not voting were: Messrs. Adams, Boyle, Brown, Clark, Craddock, Creech, Curran, Davidson of Sedgwick, Enright, Finley, Fisher, Gesner, Guyer, Haskins, Hendricks, Kiff, Kinnison, McGillivray, Martin, Montee, Myers, O'Conner, Oshant, Patterson, Pohlman, Potts, Richardson, Rochester, Saunders, Sherer, Stannard, Warren, Westcott, and Wilson.

A constitutional majority not having voted in favor of the passage of the bill, the bill was lost.

Mr. Kirtland moved that the House concur in Senate amendments to House bill No. 10, An act concerning assessment and taxation and to limit the levy of taxes in the several taxing districts of the state of Kansas, and to limit the creation of municipal indebtedness in the state, and to punish officers for the violation of this act, and to repeal all acts and parts of acts in conflict herewith.

The question being, Shall the House concur in Senate amendments to House bill No. 10? the roll was called, with the following result: Yeas 70, nays 4; absent or not voting, 48.

Members voting in favor of concurrence were: Messrs. Adams, Archer, Banks, Beeson, Blaine, Boggs, Boyle, Brandon, Chatten, Clark, Cole, Cottingham, Cowan, Craddock, Crumly, Cunningham, Davidson of Sedgwick, Davis, Davison of Marion, Dennis, Elstun, Finley, Flanigan, Foley, Fraser, Gordon, Ham, Hart, Haskins, Holden of Wichita, Holdren of Montgomery, Husey, Jeffries, Johnson, Jones, Kiff, Lander, Lehman, Leland, Lennen, Leydig, Mayhew, Mercer, Mitchell, Montee, Morgan of Hodgeman, Morgan of Reno, Murphy, Padgett, Patterson, Polley, Pomeroy, Rall, Reynard, Rhodes, Richmond, Rockefeller, Roush, Ryan, Schmidt, Shepard, Sipple, Skinner, Sourbeer, Stockton, Sweeny, Swope, Taylor, Tredway, Umholtz, and White.

Members voting in the negative were: Messrs. Bird, Gants, Hutcheson, and Neihart.

Members absent or not voting were: Messrs. Berryman, Bird, Brierley, Brown, Creech, Curran, Edwards, Fisher, Grass, Guyer, Helmick, Hendricks, Ingalls, Kinnison, Kirtland, McGillivray, Martin, Miller, Milligan, Myers, O'Conner, Oshant, Peter, Plumb, Pohlman, Potts, Price, Ransom, Rich, Richardson, Rochester, Saunders, Sherer, Snyder, Stannard, Stone, Stubbs, Tannahill, Warren, Wells, Westcott, Wheeler, and Wilson.

A constitutional majority having voted in favor of concurring in Senate amendments, the amendments were concurred in.

Mr. Mitchell moved that the House concur in Senate amendments to House bill No. 17, An act to amend section 19 of chapter 408 of the Session Laws of 1907.

The question being, Shall the House concur in Senate amendments to House bill No. 17? the roll was called, with the following result: Yeas 64, nays 0; absent or not voting, 58.

Members voting in favor of concurrence were: Messrs. Adams, Archer, Banks, Beeson, Bird, Blaine, Boggs, Boyle, Brandon, Brierley, Cottingham, Cowan, Craddock, Crumly, Curran, Dennis, Elstun, Enright, Flanigan, Foley, Fraser, Gordon, Ham, Hart, Holdren of Montgomery, Husey, Hutcheson, Jeffries, Jones, Kirtland, Lennen, Leydig, McGillivray, Mercer, Milligan, Mitchell, Montee, Morgan of Hodgeman,

Murphy, Neihart, Padgett, Patterson, Peter, Plumb, Pohlman, Polley, Rall, Ransom, Reynard, Rockefeller, Ryan, Saunders, Schmidt, Shepard, Sipple, Snyder, Sourbeer, Stockton, Sweeny, Thompson, Tredway, Umholtz, Wheeler, and Woodhouse.

Members absent or not voting were: Messrs. Berryman, Brown, Chatten, Clark, Cole, Creech, Cunningham, Davidson of Sedgwick, Davis, Davison of Marion, Edwards, Finley, Fisher, Gants, Gesner, Grass, Guyer, Haskins, Helmick, Hendricks, Holden of Wichita, Ingalls, Johnson, Kiff, Kinnison, Lander, Lehman, Leland, Martin, Mayhew, Miller, Morgan of Reno, Myers, O'Conner, Oshant, Pomeroy, Potts, Price, Rhodes, Rich, Richardson, Richmond, Rochester, Roush, Sherer, Skinner, Stannard, Stone, Stubbs, Swope, Tannahill, Taylor, Warren, Wells, Westcott, White, Wilson, and Mr. Speaker Simmons.

A constitutional majority having voted in favor of concurring in Senate amendments, the amendments were concurred in.

Mr. Schmidt moved that the House concur in Senate amendments to substitute for House bill No. 130, An act to provide for a bounty on pocket-gopher and ground-mole, and repealing all acts and parts of acts in conflict with this act.

The question being, Shall the House concur in Senate amendments to substitute for House bill No. 130? the roll was called, with the following result: Yeas 68, nays 2; absent or not voting, 48.

Members voting in the affirmative were: Messrs. Adams, Archer, Banks, Beeson, Berryman, Bird, Blaine, Boggs, Boyle, Brandon, Chatten, Clark, Cole, Cottingham, Cowan, Craddock, Crumly, Cunningham, Davis, Davison of Marion, Dennis, Edwards, Elstun, Enright, Finley, Flanigan, Fraser, Gordon, Grass, Hart, Haskins, Holden of Wichita, Holdren of Montgomery, Husey, Ingalls, Jeffries, Johnson, Jones, Lehman, Lennen, Leydig, Mercer, Miller, Milligan, Mitchell, Morgan of Hodgeman, Morgan of Reno, Murphy, Padgett, Peter, Polley, Pomeroy, Rall, Reynard, Rhodes, Rich, Richmond, Roush, Shepard, Sipple, Skinner, Sourbeer, Sweeny, Swope, Tannahill, Taylor, Thompson, Umholtz, Wells, Wheeler, and Woodhouse.

Members voting in the negative were: Messrs. Foley and Rockefeller.

Members absent or not voting were: Messrs. Brierley, Brown, Creech, Curran, Davidson, Edwards, Fisher, Gants, Gesner, Guyer, Ham, Helmick, Hendricks, Hutcheson, Kiff, Kinnison, Kirtland, Lander, Leland, McGillivray, Martin, Mayhew, Montee, Myers, Neihart, O'Conner, Oshant, Patterson, Plumb, Pohlman, Potts, Price, Ransom, Richardson, Rochester, Ryan, Saunders, Schmidt, Sherer, Snyder, Stannard, Stockton, Stone, Stubbs, Tredway, Warren, White, and Wilson.

A constitutional majority having voted in favor of con-

curing in Senate amendments, the amendments were concurred in.

Mr. White moved that an emergency be declared, the rules suspended, and that Senate bill No. 124, now under the head of "General Orders," be placed on third reading, subject to amendment and debate, which motion prevailed.

Senate bill No. 124, An act to amend section 25 of chapter 408 of Session Laws of 1907, the same being an act to create a Tax Commission, defining its powers and duties, and to repeal said original section, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 70, nays 0; absent or not voting, 52.

Members voting in favor of the passage of the bill were: Messrs. Adams, Archer, Banks, Berryman, Bird, Blaine, Boggs, Boyle, Brandon, Clark, Cole, Cottingham, Cowan, Craddock, Cunningham, Davidson of Sedgwick, Davis, Davison of Marion, Elstun, Flanigan, Foley, Fraser, Gants, Ham, Hart, Holden of Wichita, Holdren of Montgomery, Hutcheson, Jeffries, Johnson, Jones, Kiff, Kirtland, Leydig, Mayhew, Mercer, Miller, Mitchell, Montee, Morgan of Hodgeman, Murphy, Neihart, Padgett, Patterson, Peter, Plumb, Pohlman, Polley, Rall, Ransom, Reynard, Rich, Richmond, Rockefeller, Schmidt, Shepard, Sherer, Sipple, Skinner, Sourbeer, Stockton, Stubbs, Tannahill, Thompson, Umholtz, White, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Beeson, Brierley, Brown, Chatten, Creech, Crumly, Curran, Dennis, Edwards, Enright, Finley, Fisher, Gesner, Gordon, Grass, Guyer, Haskins, Helmick, Hendricks, Husey, Ingalls, Kinnison, Lander, Leland, Lennen, McGillivray, Martin, Milligan, Morgan of Reno, Myers, O'Conner, Oshant, Pomeroy, Potts, Price, Rhodes, Richardson, Rochester, Roush, Ryan, Saunders, Snyder, Stannard, Stone, Sweeny, Swope, Taylor, Tredway, Warren, Wells, Westcott, Wheeler, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

Senate bill No. 71, An act to amend section 2 of chapter 408 of the Session Laws of 1907, relating to the creation of a Tax Commission, and defining the powers of such commission, etc., was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 26, nays 38; absent or not voting, 58.

Members voting in favor of the passage of the bill were: Messrs. Archer, Beeson, Berryman, Bird, Blaine, Chatten, Cowan, Elstun, Gants, Hart, Holdren of Montgomery, Husey, Hutcheson, Johnson, Jones, Lennen, Montee, Morgan of Hodgeman, Morgan of Reno, Peter, Rich, Rockefeller, Sourbeer, Tannahill, Umholtz, and Mr. Speaker Simmons.

Members voting in the negative were: Messrs. Adams,

Banks, Boggs, Boyle, Brandon, Cottingham, Craddock, Cunningham, Dennis, Flanigan, Foley, Fraser, Ham, Helmick, Jeffries, Kiff, Kirtland, Lander, Leydig, Milligan, Mitchell, Neihart, Padgett, Patterson, Plumb, Pohlman, Polley, Rall, Reynard, Richmond, Schmidt, Shepard, Sherer, Sipple, Stockton, Stone, Thompson, and White.

Members absent or not voting were: Messrs. Brierley, Brown, Clark, Cole, Creech, Crumly, Curran, Davidson of Sedgwick, Davis, Davison of Marion, Edwards, Enright, Finley, Fisher, Gesner, Gordon, Grass, Guyer, Haskins, Hendricks, Holden of Wichita, Ingalls, Kinnison, Lehman, Leland, McGillivray, Martin, Mayhew, Mercer, Miller, Murphy, Myers, O'Conner, Oshant, Pomeroy, Potts, Price, Ransom, Rhodes, Richardson, Rochester, Roush, Ryan, Saunders, Skinner, Snyder, Stannard, Stubbs, Sweeny, Swope, Taylor, Tredway, Warren, Wells, Westcott, Wheeler, Wilson, and Woodhouse.

A constitutional majority not having voted in favor of the passage of the bill, the bill was lost.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed by the Senate to inform the House that the Senate has passed House bill No. 128, An act authorizing cities of the third class to fund their outstanding floating indebtedness in certain cases.

Also, House bill No. 43, An act to create the circuit court of Wyandotte county, to define the powers and jurisdiction of such court and of the judge thereof, to provide for the holding of the terms of such court, and for the transfer from the district court and court of common pleas of Wyandotte county of certain actions to said circuit court and from the circuit court to the district court and the court of common pleas, and for the appointment and election of a judge and clerk thereof.

Also, has non-concurred in House amendments to Senate bill No. 108, and asks for a conference committee, and has appointed as conferees on part of Senate Senators Miller and Noftzger.

Also, amended, and passed as amended, House bill No. 10, An act concerning assessment and taxation, and to limit the levy of taxes in the several taxing districts of the state of Kansas, and to limit the creation of municipal indebtedness in the state, and punish officers for the violation of this act, and to repeal all acts and parts of acts in conflict herewith.

Also, amended, and passed as amended, House bill No. 17, An act to amend section 19 of chapter 408 of the Session Laws of 1907.

Also, passed House bill No. 102, An act for the protection of antelopes and deer.

Also, has acceded to the request of the House for a conference committee on House bill No. 111. Conferees on part of Senate are Senators Carver and Waggener.

Also, has passed House bill No. 83, An act making appropriation to the state printing plant.

Also, adopted House joint resolution No. 4, Relating to Pawnee Rock.

Also, amended, and adopted as amended, House concurrent resolution No. 11.

Also, adopted conference report on House bill No. 111.

Also, adopted report of conference committee on Senate bill No. 108.

Also, passed House bill No. 140, An act making appropriation for miscellaneous purposes.

The bills and resolutions are herewith transmitted.

W. S. KRETSINGER, *Secretary.*

Mr. White moved that the House take a recess until 7:30 P. M., which motion prevailed.

EVENING SESSION.

The House reconvened at 7:30 P. M., with the speaker in the chair.

Mr. Kirtland moved that an emergency be declared, the rules suspended, and that Senate bill No. 12 and Senate bill No. 105, now on "General Orders," be placed on third reading, subject to amendment and debate, which motion prevailed.

ORIGINAL MOTIONS AND RESOLUTIONS.

Mr. Stubbs offered House concurrent resolution No. 13, Relating to final consideration of bills, which was read the first time.

Mr. Stubbs moved that an emergency be declared, the rules suspended, and that House concurrent resolution No. 13 be read the second time, which motion did not prevail.

REPORTS OF CONFERENCE COMMITTEES.

Mr. Ham, chairman of the conference committee on House bill No. 111, submitted the following report:

MR. SPEAKER: Your conference committee on House bill No. 111, An act authorizing the creation of deposit insurance companies, defining their powers and duties and the duties of certain state officers in relation thereto, and providing that banks and trust companies may participate in the benefits thereof, and providing penalties for the violation of this act, have had the same under consideration, and beg leave to report as follows: We hereby recommend that the House of Representatives concur in the Senate amendments to House bill No. 111, entitled as above set forth.

THAD C. CARVER,
B. P. WAGGENER,
On part of Senate.

W. B. HAM,
J. W. BERRYMAN,
F. C. POMEROY,
On part of House.

Mr. Ham moved the adoption of the report of the conference committee on House bill No. 111, An act authorizing the creation of deposit insurance companies, defining their powers and duties and the duties of certain state officers in relation thereto, and providing that banks and trust companies may participate in the benefits thereof, and providing penalties for the violation of this act.

The question being, Shall the House adopt the report of the conference committee on House bill No. 111? the roll was called, with the following result: Yeas 74, nays 10; absent or not voting, 38.

Members voting in favor of adopting the report were: Messrs. Archer, Banks, Beeson, Berryman, Bird, Blaine, Bran-

don, Brierley, Chatten, Clark, Cottingham, Cowan, Craddock, Crumly, Curran, Davidson of Sedgwick, Davison of Marion, Dennis, Elstun, Finley, Flanigan, Fraser, Gordon, Guyer, Ham, Hart, Haskins, Helmick, Holdren of Montgomery, Husey, Hutcheson, Jeffries, Johnson, Jones, Kiff, Kirtland, Lehman, Leland, Leydig, Miller, Milligan, Mitchell, Montee, Morgan of Hodgeman, Morgan of Reno, Murphy, O'Conner, Patterson, Plumb, Pomeroy, Rall, Reynard, Rich, Rockefeller, Roush, Ryan, Sherer, Sipple, Skinner, Snyder, Sourbeer, Stockton, Stubbs, Sweeny, Swope, Tannahill, Taylor, Thompson, Tredway, Umholtz, Wells, Wheeler, Woodhouse, and Mr. Speaker Simmons.

Members voting in the negative were: Messrs. Adams, Boggs, Cunningham, Davis, Gants, Lennen, Mercer, Neihart, Padgett, and Stone.

Members absent or not voting were: Messrs. Boyle, Brown, Cole, Creech, Edwards, Enright, Fisher, Foley, Gesner, Grass, Hendricks, Holden of Wichita, Ingalls, Kinnison, Lander, McGillivray, Martin, Mayhew, Myers, Oshant, Peter, Pohlman, Polley, Potts, Price, Ransom, Rhodes, Richardson, Richmond, Rochester, Saunders, Schmidt, Shepard, Stannard, Warren, Westcott, White, and Wilson.

A constitutional majority having voted in favor of adopting the report of the conference committee, the report was adopted.

Mr. Beeson, chairman of the conference committee on Senate bill No. 108, submitted the following report:

MR. SPEAKER: Your committee of conference on Senate bill No. 108, An act amending section 5 of chapter 23 of the Session Laws of 1907, relating to the hard-fiber twine plant of the Kansas State Penitentiary, at Lansing, and making an appropriation for the operation thereof, and providing for the payment of salary of clerk and cashier of said plant, have had the same under consideration, and beg leave to report as follows: That the Senate accede to the House amendments.

H. B. MILLER,
T. A. NOFTZGER,
On part of Senate.

C. M. BEESON,
C. E. SNYDER,
PAUL RICH,
On part of House.

Mr. Beeson moved that the House adopt the conference committee report on Senate bill No. 108, An act amending section 5, chapter 23, of the Session Laws of 1907, relating to the hard-fiber twine plant of the Kansas State Penitentiary, at Lansing, and making an appropriation for the operation thereof, and providing for the payment of salary of clerk and cashier of said plant.

The question being, Shall the House adopt the report of the conference committee on Senate bill No. 108? the roll was

called, with the following result: Yeas 70, nays 0; absent or not voting, 52.

Members voting in the affirmative were: Messrs. Adams, Archer, Banks, Bird, Blaine, Boggs, Brandon, Clark, Cole, Cottingham, Cowan, Craddock, Crumly, Cunningham, Curran, Davidson of Sedgwick, Davis, Davison of Marion, Dennis, Elstun, Enright, Flanigan, Foley, Fraser, Gordon, Guyer, Ham, Hart, Haskins, Helmick, Holdren of Montgomery, Husey, Hutcheson, Jeffries, Jones, Kiff, Lehman, Leland, Lennen, Leydig, Miller, Milligan, Mitchell, Montee, Morgan of Hodgeman, Morgan of Reno, Murphy, Padgett, Pomeroy, Rall, Ransom, Reynard, Rich, Rockefeller, Roush, Ryan, Sherer, Sipple, Skinner, Snyder, Sourbeer, Stockton, Sweeny, Tannahill, Taylor, Thompson, Tredway, Umholtz, Woodhouse, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Beeson, Berryman, Boyle, Brierley, Brown, Chatten, Creech, Edwards, Finley, Fisher, Gants, Gesner, Grass, Hendricks, Holden of Wichita, Ingalls, Johnson, Kinnison, Kirtland, Lander, McGillivray, Martin, Mayhew, Mercer, Myers, Neihart, O'Conner, Oshant, Patterson, Peter, Plumb, Pohlman, Polley, Potts, Price, Rhodes, Richardson, Richmond, Rochester, Saunders, Schmidt, Shepard, Stannard, Stone, Stubbs, Swope, Warren, Wells, Westcott, Wheeler, White, and Wilson.

A constitutional majority having voted in favor of adopting the conference committee report, the report was adopted.

THIRD READING OF BILLS.

Senate bill No. 126, An act to amend section 6080 of the Revised Statutes of 1901, and fixing the salary of the state treasurer, the assistant state treasurer and chief clerk of the state of Kansas, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 66, nays 22; absent or not voting, 34.

Members voting in favor of the passage of the bill were: Messrs. Archer, Banks, Beeson, Berryman, Bird, Blaine, Boggs, Brandon, Brierley, Chatten, Clark, Cottingham, Cowan, Craddock, Cunningham, Curran, Davidson of Sedgwick, Davis, Davison of Marion, Dennis, Enright, Finley, Flanigan, Gordon, Haskins, Helmick, Holdren of Montgomery, Husey, Hutcheson, Jeffries, Johnson, Jones, Kinnison, Kirtland, Lehman, Leland, Leydig, Mercer, Miller, Mitchell, Montee, Morgan of Reno, Murphy, O'Conner, Padgett, Patterson, Peter, Pomeroy, Rall, Ransom, Reynard, Rich, Roush, Ryan, Sherer, Snyder, Sourbeer, Stockton, Swope, Taylor, Tredway, Umholtz, Wheeler, White, Woodhouse, and Mr. Speaker Simmons.

Members voting in the negative were: Messrs. Adams, Cole, Crumly, Foley, Fraser, Gants, Guyer, Ham, Hart, Lennen, Milligan, Morgan of Hodgeman, Neihart, Plumb, Rockefeller, Sipple, Skinner, Stone, Stubbs, Sweeny, Tannahill, and Thompson.

Members absent or not voting were: Messrs. Boyle, Brown, Creech, Edwards, Elstun, Fisher, Gesner, Grass, Hendricks, Holden of Wichita, Ingalls, Kiff, Lander, McGillivray, Martin, Mayhew, Myers, Oshant, Pohlman, Polley, Potts, Price, Rhodes, Richardson, Richmond, Rochester, Saunders, Schmidt, Shepard, Stannard, Warren, Wells, Westcott, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

Senate bill No. 12, An act to authorize the erection and maintenance of water-works in the state of Kansas, was read the third time.

Mr. Padgett moved that the committee amendments be adopted, which motion prevailed.

Mr. Enright moved to amend by inserting at the end of section 1 the following: "provided, however, that the provisions of this act shall not apply to counties having a population of less than 12,000 or more than 14,000," which motion prevailed.

Mr. Enright also moved to amend the title by inserting after the word "water-works" the words "in certain counties," which motion prevailed.

The question being, Shall the bill pass as amended? the roll was called, with the following result: Yeas 70, nays 6; absent or not voting, 46.

Members voting in favor of the passage of the bill were: Messrs. Beeson, Berryman, Bird, Blaine, Brandon, Chatten, Clark, Cole, Cottingham, Cowan, Craddock, Crumly, Cunningham, Davidson of Sedgwick, Davis, Davison of Marion, Enright, Flanigan, Foley, Fraser, Gants, Gordon, Guyer, Ham, Hart, Haskins, Helmick, Holdren of Montgomery, Husey, Jeffries, Johnson, Jones, Kiff, Kirtland, Lehman, Leland, Lennen, Leydig, Mercer, Miller, Milligan, Mitchell, Montee, Morgan of Hodgeman, Morgan of Reno, O'Conner, Padgett, Patterson, Pomeroy, Rall, Ransom, Reynard, Rich, Rockefeller, Roush, Sherer, Sipple, Skinner, Snyder, Sourbeer, Stockton, Stone, Stubbs, Sweeny, Swope, Tannahill, Taylor, Thompson, Tredway, Umholtz, and Woodhouse.

Members voting in the negative were: Messrs. Adams, Banks, Boggs, Murphy, Plumb, and White.

Members absent or not voting were: Messrs. Archer, Boyle, Brierley, Brown, Creech, Curran, Dennis, Edwards, Elstun, Finley, Fisher, Gesner, Grass, Hendricks, Holden of Wichita, Hutcheson, Ingalls, Kinnison, Lander, Lennen, McGillivray, Martin, Mayhew, Myers, Neihart, Oshant, Peter, Pohlman, Polley, Potts, Price, Rhodes, Richardson, Richmond, Rochester, Ryan, Saunders, Schmidt, Shepard, Stannard, Warren, Wells, Westcott, Wheeler, Wilson, and Mr. Speaker Simmons.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title as amended was agreed to.

REPORT OF STANDING COMMITTEE.

Mr. Leland, chairman of the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate bill No. 34, An act authorizing the employment of an additional stenographer in the office of the attorney-general, and making an appropriation therefor, have had the same under consideration, and instruct me to report the bill back to the House with the recommendation that it be passed.

Also, Senate bill No. 129, An act making an appropriation for the traveling expenses of the members of the Tax Commission and the employees of said commission in making appraisement and assessment of property for the year 1908, and recommend that it be passed.

Also, Senate bill No. 131, An act making appropriations to pay sundry claims against the state, and recommend that it be passed.

Also, Senate bill No. 118, An act providing an appropriation to be used by the State Entomological Commission for the extermination of the green bug, and recommend that it be passed.

C. LELAND, JR., *Chairman.*

INTRODUCTION OF BILLS.

The following bills were introduced and read the first time:

By Ways and Means Committee: House bill No. 139, An act relating to bank examination, providing for the appointment of an assistant commissioner, deputy examiners, and making an appropriation therefor.

Also, House bill No. 140, An act making appropriation for miscellaneous purposes.

Mr. Leland moved that an emergency be declared, the rules suspended, and that House bill No. 139 and House bill No. 140 be read the second time, which motion prevailed.

House bill No. 139, An act relating to bank examinations, providing for the appointment of an assistant commissioner, deputy examiners, and making an appropriation therefor, was read the second time.

House bill No. 140, An act making appropriation for miscellaneous purposes, was read the second time.

Mr. Leland moved that an emergency be declared, the rules suspended, and that House bill No. 139 and House bill No. 140 be placed on third reading, subject to amendment and debate, which motion prevailed.

Mr. Leland moved that an emergency be declared, the rules suspended, and that Senate bills Nos. 129, 131, 34 and 118 be placed on third reading, subject to amendment and debate, which motion prevailed.

House bill No. 139, An act relating to bank examinations, providing for the appointment of an assistant commissioner, deputy examiners, and making an appropriation therefor, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 88, nays 1; absent or not voting, 33.

Members voting in favor of the passage of the bill were:

Messrs. Adams, Archer, Banks, Beeson, Berryman, Blaine, Boggs, Brandon, Brierley, Chatten, Clark, Cole, Cottingham, Cowan, Craddock, Crumly, Cunningham, Curran, Davidson of Sedgwick, Davis, Davison of Marion, Dennis, Elstun, Enright, Finley, Flanigan, Foley, Fraser, Gants, Gordon, Guyer, Ham, Hart, Haskins, Helmick, Holdren of Montgomery, Husey, Hutcheson, Jeffries, Johnson, Jones, Kiff, Kinnison, Kirtland, Lehman, Leland, Lennen, Leydig, Martin, Milligan, Mitchell, Montee, Morgan of Hodgeman, Morgan of Reno, Murphy, Neihart, Padgett, Patterson, Peter, Plumb, Pomeroy, Rall, Ransom, Reynard, Rich, Rockefeller, Roush, Ryan, Shepard, Sherer, Sipple, Skinner, Snyder, Sourbeer, Stockton, Stubbs, Sweeny, Swope, Tannahill, Taylor, Thompson, Tredway, Umholtz, Wells, Wheeler, White, Woodhouse, and Mr. Speaker Simmons.

Mr. Bird voted in the negative.

Members absent or not voting were: Messrs. Boyle, Brown, Creech, Edwards, Fisher, Gesner, Grass, Hendricks, Holden of Wichita, Ingalls, Lander, McGillivray, Mayhew, Mercer, Miller, Myers, O'Conner, Oshant, Pohlman, Polley, Potts, Price, Rhodes, Richardson, Richmond, Rochester, Saunders, Schmidt, Stannard, Stone, Warren, Westcott, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

House bill No. 140, An act making appropriation for miscellaneous purposes, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 88, nays 1; absent or not voting, 33.

Members voting in favor of the passage of the bill were: Messrs. Adams, Archer, Banks, Beeson, Berryman, Blaine, Boggs, Brandon, Brierley, Chatten, Clark, Cole, Cottingham, Cowan, Craddock, Crumly, Cunningham, Curran, Davidson of Sedgwick, Davis, Davison of Marion, Dennis, Elstun, Enright, Finley, Flanigan, Foley, Fraser, Gants, Gordon, Guyer, Ham, Hart, Haskins, Helmick, Holdren of Montgomery, Husey, Hutcheson, Jeffries, Johnson, Jones, Kiff, Kinnison, Kirtland, Lehman, Leland, Lennen, Leydig, Martin, Milligan, Mitchell, Montee, Morgan of Hodgeman, Morgan of Reno, Murphy, Neihart, Padgett, Patterson, Peter, Plumb, Pomeroy, Rall, Ransom, Reynard, Rich, Rockefeller, Roush, Ryan, Shepard, Sherer, Sipple, Skinner, Snyder, Sourbeer, Stockton, Stubbs, Sweeny, Swope, Tannahill, Taylor, Thompson, Tredway, Umholtz, Wells, Wheeler, White, Woodhouse, and Mr. Speaker Simmons.

Mr. Bird voted in the negative.

Members absent or not voting were: Messrs. Boyle, Brown, Creech, Edwards, Fisher, Gesner, Grass, Hendricks, Holden of Wichita, Ingalls, Lander, McGillivray, Mayhew, Mercer, Miller, Myers, O'Conner, Oshant, Pohlman, Polley, Potts, Price,

Rhodes, Richardson, Richmond, Rochester, Saunders, Schmidt, Stannard, Stone, Warren, Westcott, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

Senate bill No. 129, An act making an appropriation to pay the traveling expenses of the Tax Commission and the employees of said commission in making appraisement and assessment of property for the year 1908, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 88, nays 1; absent or not voting, 33.

Members voting in favor of the passage of the bill were: Messrs. Adams, Archer, Banks, Beeson, Berryman, Blaine, Boggs, Brandon, Brierley, Chatten, Clark, Cole, Cottingham, Cowan, Craddock, Crumly, Cunningham, Curran, Davidson of Sedgwick, Davis, Davison of Marion, Dennis, Elstun, Enright, Finley, Flanigan, Foley, Fraser, Gants, Gordon, Guyer, Ham, Hart, Haskins, Helmick, Holdren of Montgomery, Husey, Hutcheson, Jeffries, Johnson, Jones, Kiff, Kinnison, Kirtland, Lehman, Leland, Lennen, Leydig, Martin, Milligan, Mitchell, Montee, Morgan of Hodgeman, Morgan of Reno, Murphy, Neihart, Padgett, Patterson, Peter, Plumb, Pomeroy, Rall, Ransom, Reynard, Rich, Rockefeller, Roush, Ryan, Shepard, Sherer, Sipple, Skinner, Snyder, Sourbeer, Stockton, Stubbs, Sweeny, Swope, Tannahill, Taylor, Thompson, Tredway, Umholtz, Wells, Wheeler, White, Woodhouse, and Mr. Speaker Simmons.

Mr. Bird voted in the negative.

Members absent or not voting were: Messrs. Boyle, Brown, Creech, Edwards, Fisher, Gesner, Grass, Hendricks, Holden of Wichita, Ingalls, Lander, McGillivray, Mayhew, Mercer, Miller, Myers, O'Conner, Oshant, Pohlman, Polley, Potts, Price, Rhodes, Richardson, Richmond, Rochester, Saunders, Schmidt, Stannard, Stone, Warren, Westcott, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

Senate bill No. 34, An act authorizing the employment of an additional stenographer in the office of the attorney-general, and making appropriation therefor, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 88, nays 1; absent or not voting, 33.

Members voting in favor of the passage of the bill were: Messrs. Adams, Archer, Banks, Beeson, Berryman, Blaine, Boggs, Brandon, Brierley, Chatten, Clark, Cole, Cottingham, Cowan, Craddock, Crumly, Cunningham, Curran, Davidson of Sedgwick, Davis, Davison of Marion, Dennis, Elstun, Enright, Finley, Flanigan, Foley, Fraser, Gants, Gordon, Guyer, Ham, Hart, Haskins, Helmick, Holdren of Montgomery, Husey,

Hutcheson, Jeffries, Johnson, Jones, Kiff, Kinnison, Kirtland, Lehman, Leland, Lennen, Leydig, Martin, Milligan, Mitchell, Montee, Morgan of Hodgeman, Morgan of Reno, Murphy, Neihart, Padgett, Patterson, Peter, Plumb, Pomeroy, Rall, Ransom, Reynard, Rich, Rockefeller, Roush, Ryan, Shepard, Sherer, Sipple, Skinner, Snyder, Sourbeer, Stockton, Stubbs, Sweeny, Swope, Tannahill, Taylor, Thompson, Tredway, Umholtz, Wells, Wheeler, White, Woodhouse, and Mr. Speaker Simmons.

Mr. Bird voted in the negative.

Members absent or not voting were: Messrs. Boyle, Brown, Creech, Edwards, Fisher, Gesner, Grass, Hendricks, Holden of Wichita, Ingalls, Lander, McGillivray, Mayhew, Mercer, Miller, Myers, O'Conner, Oshant, Pohlman, Polley, Potts, Price, Rhodes, Richardson, Richmond, Rochester, Saunders, Schmidt, Stannard, Stone, Warren, Westcott, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

Senate bill No. 131, An act making appropriations to pay sundry claims against the state, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 88, nays 1; absent or not voting 33.

Members voting in favor of the passage of the bill were: Messrs. Adams, Archer, Banks, Beeson, Berryman, Blaine, Boggs, Brandon, Brierley, Chatten, Clark, Cole, Cottingham, Cowan, Craddock, Crumly, Cunningham, Curran, Davidson of Sedgwick, Davis, Davison of Marion, Dennis, Elstun, Enright, Finley, Flanigan, Foley, Fraser, Gants, Gordon, Guyer, Ham, Hart, Haskins, Helmick, Holdren of Montgomery, Husey, Hutcheson, Jeffries, Johnson, Jones, Kiff, Kinnison, Kirtland, Lehman, Leland, Lennen, Leydig, Martin, Milligan, Mitchell, Montee, Morgan of Hodgeman, Morgan of Reno, Murphy, Neihart, Padgett, Patterson, Peter, Plumb, Pomeroy, Rall, Ransom, Reynard, Rich, Rockefeller, Roush, Ryan, Shepard, Sherer, Sipple, Skinner, Snyder, Sourbeer, Stockton, Stubbs, Sweeny, Swope, Tannahill, Taylor, Thompson, Tredway, Umholtz, Wells, Wheeler, White, Woodhouse, and Mr. Speaker Simmons.

Mr. Bird voted in the negative.

Members absent or not voting were: Messrs. Boyle, Brown, Creech, Edwards, Fisher, Gesner, Grass, Hendricks, Holden of Wichita, Ingalls, Lander, McGillivray, Mayhew, Mercer, Miller, Myers, O'Conner, Oshant, Pohlman, Polley, Potts, Price, Rhodes, Richardson, Richmond, Rochester, Saunders, Schmidt, Stannard, Stone, Warren, Westcott, and Wilson.

A constitutional majority having voted in favor of the passage of the bill, the bill passed, and the title was agreed to.

Senate bill No. 118, An act providing an appropriation to be used by the State Entomological Commission for the ex-

termination of the green bug, was read the third time, and the question being, Shall the bill pass? the roll was called, with the following result: Yeas 60, nays 17; absent or not voting, 45.

Members voting in favor of the passage of the bill were: Messrs. Banks, Beeson, Berryman, Blaine, Boggs, Brierley, Clark, Cole, Cottingham, Craddock, Cunningham, Davidson of Sedgwick, Davis, Davison of Marion, Enright, Finley, Flanagan, Foley, Gordon, Guyer, Hart, Haskins, Helmick, Holdren of Montgomery, Husey, Hutcheson, Jeffries, Jones, Kiff, Kirtland, Lehman, Leland, Lennen, Leydig, Miller, Milligan, Mitchell, Montee, Morgan of Hodgeman, Morgan of Reno, O'Conner, Padgett, Rall, Ransom, Rich, Sherer, Sipple, Skinner, Snyder, Sourbeer, Stockton, Stone, Stubbs, Sweeny, Tannahill, Taylor, Tredway, Umholtz, White, and Woodhouse.

Members voting in the negative were: Messrs. Adams, Brandon, Crumly, Fraser, Gants, Ham, Johnson, Mercer, Plumb, Pomeroy, Reynard, Rockefeller, Roush, Ryan, Swope, Thompson, and Mr. Speaker Simmons.

Members absent or not voting were: Messrs. Archer, Bird, Boyle, Brown, Chatten, Cowan, Creech, Curran, Dennis, Edwards, Elstun, Fisher, Gesner, Grass, Hendricks, Holden of Wichita, Ingalls, Kinnison, Lander, McGillivray, Martin, Mayhew, Murphy, Myers, Neihart, Oshant, Patterson, Peter, Pohlman, Polley, Potts, Price, Rhodes, Richardson, Richmond, Rochester, Saunders, Schmidt, Shepard, Stannard, Warren, Wells, Westcott, Wheeler, and Wilson.

A constitutional majority not having voted in favor of the passage of the bill, the bill was lost.

Mr. Bird moved that the House take a recess until ten A. M., Friday, January 31, which motion prevailed.

FRIDAY, January 31, 1908.

The House was called to order at ten o'clock, with the speaker in the chair.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
TOPEKA, January 30, 1908.

To the House of Representatives: I have received and approved the following House bills:

No. 51, An act prohibiting the manufacture, sale, keeping or offering for sale certain adulterated foods, and supplemental to chapter 266 of the Session Laws of 1907.

No. 72, An act to amend section 6467 of the Compiled Laws of 1901, relating to the establishment of agencies at the county seat in each county in this state and in cities of the first, second and third class for the handling, sale and exchange of school-books provided for in said section 6467.

E. W. HOCH, Governor.

EXECUTIVE DEPARTMENT,
TOPEKA, January 31, 1908.

To the House of Representatives: I have received and approved the following House bills:

No. 9, An act to repeal section 6 of chapter 153 of the Session Laws of 1901.

No. 31, An act to amend section 1, chapter 120, of the Session Laws of 1907, and repealing said original section.

No. 44, An act to enable cities of the first class having a population of more than 65,000 to refund their indebtedness, and providing penalties for the violation thereof.

No. 45, An act relating to cities of the first class having a population of more than 50,000, and relating to the acquisition and maintenance of water-works by and the supplying of such cities and their inhabitants with water.

No. 15, An act appropriating money for the payment of the pension of Harry Parks.
E. W. HOCH, Governor.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed by the Senate to inform the House that the Senate has passed House bill No. 189, An act relating to bank examinations, providing for the appointment of an assistant commissioner, deputy examiners, and making an appropriation therefor.

Also, concurred in House amendment to Senate bill No. 12.

The bill is herewith transmitted. W. S. KRETSINGER, Secretary.

Mr. Stone moved to take a recess until five o'clock this afternoon, which motion prevailed.

The House was called to order at five P. M., with the speaker in the chair.

REPORT OF STANDING COMMITTEE.

Mr. Clark, chairman of the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom were referred:

House bill No. 24, An act to amend section 2 of chapter 74 of the Session Laws of 1907;

House bill No. 18, An act providing for the security of depositors in the incorporated banks of Kansas, creating a "bank depositors' indemnity fund," and providing regulations therefor;

House bill No. 76, An act to amend section 4241 of the General Statutes of Kansas of 1901, as amended by chapter 365 of the Laws of 1903, relating to the release of mortgages, and repealing said section 4241 as amended;

House bill No. 82, An act to amend sections 1, 2 and 3 of chapter 151 of the Session Laws of Kansas of 1907, granting the board of county commissioners of Harvey county, Kansas, the right to sell the present county jail building, and to dispose of the proceeds of sale, erect a new county jail building and sheriff's residence combined, to levy an annual tax on all the taxable property in the county in payment therefor, and to repeal original sections 1, 2 and 3 of chapter 151 of the Session Laws of Kansas of 1907;

House bill No. 28, An act relating to intoxicating liquors, and supplemental to article 14, chapter 31, of the General Statutes of 1901;

House bill No. 129, An act regulating the control and management of fire departments in cities of the first class, providing for a system of civil service therein, and repealing chapter 118 of the Laws of 1907 and all acts and parts of acts in conflict with this act;

House bill No. 85, An act amending chapter 254 of the Laws of 1901, the same being an act entitled "An act to create a State Board of Medical Registration and to regulate the practice of medicine, surgery and osteopathy in the state of Kansas, to provide penalties for the violation thereof, and repealing chapter 68 of Session Laws of 1870," and repealing section 6 of chapter 254 of the Laws of 1901;

House bill No. 20, An act relating to the stopping of passenger-trains for receiving or letting off passengers at railroad stations in towns and cities in Labette and Stafford counties, Kansas, having a population of 1000 or more;

House bill No. 43, An act to create the circuit court of Wyandotte county, to define the powers and jurisdiction of such court and of the judge thereof, to provide for the holding of the terms of such court, and for the transfer from the district court and court of common pleas of Wyandotte county of certain actions to said circuit court and from the circuit court to the district court and the court of common pleas, and for the appointment and election of a judge and clerk thereof;

House bill No. 123, An act providing for the security of depositors in the incorporated state banks of Kansas, and for the enforcement of this act;

House bill No. 54, An act concerning assessment and taxation, and to amend section 17 of chapter 408 of the Session Laws of 1907, and to repeal sections 7611 and 7702 of the General Statutes of 1901;

House bill No. 88, An act authorizing the board of county commissioners of any county in Kansas having a population of 100,000 or more to declare by resolution when it is necessary to repair or improve a county building for court or county-office use for such county, fixing the maximum cost of such repairs and improvements, providing for petition therefor and a levy of a tax to create a fund to pay for such repairs and improvements;

House bill No. 79, An act to enable townships to issue bonds for the purpose of aiding railroad corporations in securing and paying for lands and water privileges and constructing water-works and water pipelines needed for shops, roundhouses or other terminal facilities;

House bill No. 64, An act authorizing the city of Marquette, a city of the third class, situated in the county of McPherson and state of Kansas, to issue bonds to fund floating indebtedness;

House bill No. 70, An act to prevent filthy practices in passenger-coaches and cars, and prescribing penalties for the violation thereof;

House bill No. 105, An act amending section 4 of chapter 388 of the Session Laws of Kansas of 1907, and repealing said original section 4;

House bill No. 40, An act authorizing Mitchell township, in Rice county, Kansas, to take and appropriate a sum not to exceed the sum of one thousand dollars out of the general fund of said township and to use the same in the erection and furnishing of a township hall;

House bill No. 63, An act to encourage the erection of mills and factories and the manufacture of sugar and syrup out of sorghum cane and sugar-beets, and authorizing townships and cities of the second and third class to subscribe for stock in sugar factories and to vote bonds therefor, and to amend section 1 of chapter 106a, General Statutes, 1901;

House bill No. 17, An act to amend section 19 of chapter 408 of the Session Laws of 1907;

House bill No. 41, An act to authorize the city of Winfield, in Cowley county, to issue its bonds for the purpose of paying for the operation, improvement and extension of its water-works plant;

House bill No. 25, An act to amend section 2 of chapter 76 of the Session Laws of 1907;

House bill No. 22, An act to legalize the issue of certain bonds of the city of Winfield;

House bill No. 18, An act relating to primary elections, providing for the organization and government of political parties, repealing chapter 115, Laws of 1891, and all other acts and parts of acts in conflict herewith, and prescribing and fixing penalties for the violation hereof;

House bill No. 23, An act to amend section 1 of chapter 164 of the Laws of Kansas, 1905;

House bill No. 89, An act authorizing cities of the first class having a population of more than 65,000 to purchase, construct and contract for the construction of water-works, gas, electric-light and heating plants, and to issue bonds for such purposes;

House bill No. 110, An act to amend sections 1, 5, 6 and 11 of chapter 407 of the Laws of Kansas, 1907, and to repeal said original sections;

House bill No. 109, An act regulating the meetings of the board of county commissioners of Lincoln county, Kansas, and providing for compensation of said board;

House bill No. 55, An act concerning assessment and taxation and to amend section 12, article 3, of chapter 107 of the General Statutes of 1901, being section 7515 thereof;

House bill No. 111, An act authorizing the creation of deposit insurance companies, defining their powers and duties, and the duties of certain state officers in relation thereto, and providing that banks and trust companies may participate in the benefits thereof, and providing penalties for the violation of this act;

House bill No. 11, An act to amend section 1 of chapter 75 of the Session Laws of 1907;

House bill No. 78, An act vacating vacant unimproved town sites;

House bill No. 10, An act concerning assessment and taxation and to limit the levy of taxes in the several taxing districts of the state of Kansas, and to limit the creation of municipal indebtedness in the state, and to punish officers for the violation of this act, and to repeal all acts and parts of acts in conflict herewith;

House bill No. 45, An act relating to the acquisition and operation by cities of the first class having more than 50,000 population of the water-works supply plant and property of any person, company or corporation in any case where the franchise of such person, company or corporation to supply any such city of the first class with water has expired or may hereafter expire;

House bill No. 130, An act to provide for the bounty on gopher, ground-squirrel and rabbit scalps, to require a license to carry a gun, providing a penalty for violating this act, requiring the bounty on rabbit scalps to be paid out of the license fund, and repealing all acts and parts of acts in conflict with this act;

House bill No. 102, An act for the protection of antelopes;

House bill No. 67, An act empowering the Board of Railroad Commissioners, upon complaint, to investigate all express rates charged by express companies within the state of Kansas, and directing such investigation to be made and to change any rate or rates or classification and substitute therefor a reasonable rate or rates or classification;

House bill No. 44, An act to enable cities of the first class having a population of more than 65,000 to refund their indebtedness, and providing penalties for the violation thereof;

House bill No. 124, An act providing for the enrolment of civil war and Spanish-American war veterans;

House bill No. 115, An act to amend section 8 of chapter 268 of the Session Laws of 1907;

House bill No. 36, An act to authorize the board of county commissioners of Osage county to erect a bridge across the Marais des Cygnes river;

House bill No. 132, An act authorizing the county commissioners of Montgomery county to levy an additional tax for the purposes of defraying county expenses in said county;

Have compared the engrossed copies with the original bills, and instruct me to report the bills back to the House correctly engrossed.

W. A. CLARK, *Chairman*.

Mr. Ham moved to take a recess until ten o'clock to-morrow morning, which motion prevailed.

FEBRUARY 1, 1908.

The House was called to order by the speaker at ten A. M.

REPORT OF STANDING COMMITTEE.

Mr. Lehman, chairman of the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills, to whom were referred House bills Nos. 129, 139, 140, 10, 130, 43, 17, 83, 111, 128, 30, 15, 45, 132, 102, 18, 79, 78, 110, 81, 44, 183, 105, 64, 114, 82, 61, 109, 48, 9, 54, 56, 37, 51, 72, 36, 23, 49, 40, 100, 108, 8, 22, 35, 41, 11, 39, 25, 122 and 24, and House joint resolution No. 4, have compared the engrossed copies with the enrolled bills and resolution, and I am directed to report to the House that the same are correctly enrolled, that they have been properly signed by the president and secretary of the Senate and the speaker and chief clerk of the House, and have been presented to the governor for his approval, this 30th day of January, 1908. SIG. LEHMAN, *Chairman*.

Mr. Rich moved that all of the employees be discharged except the following: Chas. Steiger, Geo. W. Wiley, John Holden, J. M. Montgomery, Elizabeth Grice, Bessie Reno, Lewis Frazier, Geo. McAdoo; and that they be paid to and including February 4, 1908; which motion prevailed.

MESSAGE FROM THE SENATE.

MR. SPEAKER: I am directed by the Senate to inform the House that the Senate has adopted Senate concurrent resolution No. 9, Relative to final adjournment.

The same is herewith transmitted. W. S. KRETSINGER, *Secretary*.

Mr. Flanigan moved that an emergency be declared, the rules suspended, and that Senate concurrent resolution No. 9 be read the second time.

Senate concurrent resolution No. 9, Relating to final adjournment, was thereupon read the second time.

Mr. Flanigan moved that the House adopt Senate concurrent resolution No. 9, Relating to final adjournment, which motion prevailed.

Mr. Ham moved that the House take a recess until five P. M., Tuesday, February 4, 1908.

FEBRUARY 4, 1908.

The House convened at five P. M., with the speaker in the chair.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,

TOPEKA, February 1, 1908.

To the House of Representatives: I have given careful consideration to the act providing for the organization of a bankers' insurance company, being House bill No. 111, and respectfully return it to the House of Representatives without my signature.

This bill would not have passed the House except for the understanding, clearly stated on the floor by many of its advocates, that it was supplemental to a depositors' guaranty bill which the people demanded, and to permit it to become a law I believe to be against public policy. Many who favored it did so in order to help insure the passage of a depositors' guaranty bill, but all familiar with the situation and with the tactics of the powerful lobby that was here to prevent depositors' guaranty legislation know that the final passage of this bill, independent of a *bona fide* guaranty bill, was pleasing only to those who desired to defeat the legislation demanded by the people on this subject.

This bill proposes the organization of banking insurance companies absolutely free from supervision by the banking department or insurance department of the state. It provides no state supervision except by the Charter Board, which is furnished neither funds nor experts for the work of such supervision. It provides no limitation upon the rate of insurance and leaves that and other vital matters entirely to the private corporation it proposes to charter. It would subject all the banks of the state to the dictation of a company of speculators, whose arbitrary terms the state is given no adequate power to control.

This bill contemplates the organization of a bankers' trust which would give a few big bankers an opportunity to exploit small ones. It would create a powerful political machine, especially for the control of legislation, in which 900 banks would have to participate or suffer the disfavor of this powerful combination. We have had enough of this experience this session. This bill makes the secretary of state an agent to boom a private corporation organized for profit, and requires him to solicit stock from every bank in the state in this exclusive corporation before the company is organized. The section of this bill making this ridiculous requirement of the secretary of state is, in full, as follows:

SEC. 16. The secretary of state shall within thirty days after the passage of this act mail to each national bank, state bank, savings bank, private bank and trust company doing business within the state of Kansas subscription blanks to the capital stock of the deposit insurance company, on which each bank or its officers may subscribe to the capital stock as provided herein; provided, that when \$200,000 have been subscribed, the persons or banks making such subscriptions shall be called together for organization.

Why should the secretary of state be directed to help organize a private corporation, and one which in its very nature would have a monopoly of business? If our banks wish to insure in insurance companies they already have that privilege in companies amenable to our laws, as this one would not be. The more one studies this remarkable bill the more obnoxious to good government it appears. A more dangerous piece of legislation was never enacted in this state.

The people have not demanded an unreasonable thing in asking that bank deposits be protected by a guaranty fund under the supervision of the state. They have not asked an unreasonable thing in asking that the money loaned to the bank as a deposit by the individual be backed by an adequate security fund, just as the bank justly insists upon security for the money loaned to the individual. The man in front of the counter is as much entitled to security as the man behind the counter. But to

take the supervision of this guaranty fund from the state, as this bill proposes to do, and place it in the hands of a few private persons under the form of a corporation organized solely for private gain and subject to no state supervision but what would of necessity be only perfunctory, is a proposition to which I cannot give my approval.

E. W. HOCH, Governor.

EXECUTIVE DEPARTMENT,
TOPEKA, February 1, 1908.

To the House of Representatives: I have received and approved the following House bills:

No. 48, An act removing and excluding certain real estate from the city of El Dorado, Kan.

No. 61, An act transferring certain money from the state treasurer to the county of Finney.

No. 64, An act authorizing the city of Marquette, a city of the third class, situated in the county of McPherson and state of Kansas, to issue bonds to fund floating indebtedness.

No. 78, An act vacating the town site of Rock Island, Grant county, Kansas.

No. 79, An act to enable townships to issue bonds for the purpose of aiding railroad corporations in securing and paying for lands and water privileges and constructing water-works and water pipe-lines needed for shops, roundhouses or other terminal facilities.

No. 82, An act to amend sections 1, 2 and 3 of chapter 151 of the Session Laws of Kansas of 1907, granting the board of county commissioners of Harvey county, Kansas, the right to sell the present county-jail building and to dispose of the proceeds of sale, erect a new county-jail building and sheriff's residence combined, to levy an annual tax on all the taxable property in the county in payment therefor, and to repeal original sections 1, 2 and 3 of chapter 151 of the Session Laws of Kansas of 1907.

No. 102, An act for the protection of antelopes and deer.

No. 105, An act amending sections 1, 4, 6 and 12 of chapter 388 of the Session Laws of Kansas of 1907, and repealing said original sections 1, 4, 6 and 12.

No. 109, An act regulating the meetings of the board of county commissioners of Lincoln county, Kansas, and providing for compensation of said board.

No. 110, An act to amend sections 1, 5, 6 and 11 of chapter 407 of Laws of Kansas, 1907, and to repeal said original sections.

No. 114, An act to amend chapter 290 of the Session Laws of 1907, being an act declaring section lines highways in the county of Rice and other counties therein named, and repealing said original chapter 290 of the Session Laws of 1907.

No. 132, An act authorizing the county commissioners of Montgomery county, Kansas, to levy an additional tax for the purpose of defraying county expenses in said county and for the purpose of authorizing an additional levy of taxes for school purposes in the various school districts and cities in said county.

No. 133, An act authorizing and empowering the board of education of the city of Frontenac, Kan., to levy a tax for the support of the schools of said city, not exceeding thirty mills on the dollar for any one year.

No. 18, An act relating to primary elections, providing for the organization and government of political parties, repealing chapter 115, Laws of 1891, and all other acts or parts of acts in conflict herewith, and prescribing and fixing penalties for the violation hereof.

No. 83, An act making appropriation for the state printing plant.

No. 129, An act authorizing cities of the third class to fund their outstanding floating indebtedness in certain cases.

No. 129, An act regulating the control and management of fire departments in cities of the first class having a population of more than

60,000, providing for a system of civil service therein, and repealing chapter 117 of the Laws of 1907 and all acts and parts of acts in conflict with this act.

No. 130, An act to provide for a bounty on pocket-gopher and ground-mole, and repealing all acts and parts of acts in conflict with this act.

No. 139, An act relating to bank examinations, providing for the appointment of an assistant commissioner, deputy examiners, and making an appropriation therefor.

No. 140, An act making an appropriation for miscellaneous purposes.

No. 30, An act fixing the time for holding the regular terms of the district court and the court of common pleas of Wyandotte county, Kansas.

No. 43, An act to create the circuit court of Wyandotte county, to define the powers and jurisdiction of such court and of the judge thereof, to provide for the holding of the terms of such court and for the transfer from the district court and court of common pleas of Wyandotte county of certain actions to said circuit court and from the circuit court to the district court and the court of common pleas, and for the appointment and election of a judge and clerk thereof.

No. 17, An act concerning assessment and taxation, and to amend section 19 of chapter 408 of the Session Laws of 1907.

No. 10, An act concerning assessment and taxation and to limit the levy of taxes in the several taxing districts of the state of Kansas, and to limit the creation of municipal indebtedness in the state, and to punish officers for the violation of this act, and to repeal all acts and parts of acts in conflict herewith.

Also, House joint resolution No. 4.

E. W. HOCH, *Governor*.

EXECUTIVE DEPARTMENT,
TOPEKA, February 1, 1908.

To the Senate and House of Representatives:

I have completed an examination of all the bills and resolutions sent me by the two houses, and have no further communications to make to the Legislature of 1908, in special session.

E. W. HOCH, *Governor*.

Mr. Polley moved that the Journals of the special session of 1908 be and the same are hereby approved, which motion prevailed.

The hour of six o'clock having arrived, being the time fixed by Senate concurrent resolution No. 9 for final adjournment, on motion of Mr. Leland, the House of Representatives adjourned *sine die*.

C. H. BRILHART, *Chief Clerk*.

ROBT. FORBRIDGER, *Journal Clerk*.

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118, Relating to the jurisdiction of court of Topeka.	
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12, Relating to final adjournment	222
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1, Relating to the election of United States senators	37

Stubbs, W. R., Representative 14th District.

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52, Relating to assessment and taxation.	
53, Establishing a legislative reference department of the state library.	
60, Relating to the employment of legislative lobby counsel and agents.	
120, Relating to assessment and taxation.	
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4, Endorsing Hon. Wm. H. Taft for president of the United States	85
9, Creating a volunteer list	174
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7, Relating to Kansas grain freight rates	97

Sweeny, Michael, Representative 96th District.

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Public Lands	10
Cities of the Third Class	12

Swope, A., Representative 90th District.

Committee assignments—	
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Thompson, H. S., Representative 81st District.

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Tredway, J. T., Representative 20th District.

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Labor.....	11
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Bill introduced by—	
93, Providing for a county auditor in Allen county.	

Trigg, W. A.

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Umholtz, D. V., Representative 8th District.

Committee assignments—	
Manufactures.....	9
Mines and Mining.....	9
State Library.....	11
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Warren, D. A., Representative 18th District.

Committee assignments—	
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Wells, Wm., Representative 105th District.

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Bill introduced by—	
123, Providing for security for deposits in state banks.	

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Chairman of Committee on Judiciary Local.....	8
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Municipal Indebtedness.....	9
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85, Relating to the Board of Medical Registration and Examination.	

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Wheeler, F. B., Representative 24th District.

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White, John T., Representative 67th District.

Committee assignments—	
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Judicial Apportionment	11
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Special committee assignment—	
To draft guaranty deposit bill.....	135
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Williams, B. O.

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112, Making appropriation for state hospital for tubercular patients.	

Woodhouse, Guy, Representative 115th District.

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TITLE AND HISTORY
OF
HOUSE BILLS.

(269)

HISTORY OF HOUSE BILLS.

NUMBER AND TITLE.	Introduced, and read first time.....	Read second time, and referred to committee.....	Report of committee.....	Subsidiary motions.....	Committee of whole report, or considered engrossed....	Engrossed.....	Read third time, and sent to Senate.....	Action of Senate...	Enrolled.....	Approved by the governor.....
No. 1. An act to repeal sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, of chapter 408 of the Session Laws of 1907 of the state of Kansas.....By Mr. Leland.	31	33	96	33 } 36						
No. 2. An act to reenact sections 7550, 7551, 7552, 7564, 7565, 7566, 7583, 7586, 7588, 7592, 7608 and 7609, General Statutes of Kansas, 1901. By Mr. Leland.	31	33	96	33 } 36						
No. 3. An act authorizing the board of county commissioners of Shawnee county, Kansas, to sell the fair-grounds belonging to Shawnee county and to purchase other land with the proceeds of such sale, or to purchase other land to enlarge the present fair-grounds and to levy a tax for the purpose of purchasing additional lands, if found necessary, and the erection of permanent buildings and improvements on such fair-grounds, and repealing chapter 161 of the Laws of 1907.....By Mr. Bird.	31	34	49	33 } 60			73	98	242	132
No. 4. An act relating to the taxation of mortgages and mortgaged real estate.....By Mr. Bird.	31	33		33 } 197						
No. 5. An act relating to sleeping-car rates in the state of Kansas. By Mr. Bird.	31	34	105	33						
No. 6. An act amendatory of and repealing section 1 of chapter 324 of the Laws of 1903, entitled "An act to provide for the extermination of pocket-gophers or gray ground-squirrels, and fixing a bounty for the same".....By Mr. Bird.	31	34		33						
No. 7. An act relating to the guaranty of bank deposits. By Mr. Davidson.	31	35	114	33 } 36						
No. 8. An act to amend section 1365 of the General Statutes of 1901, relating to appointment of commissioners in condemnation proceedings. By Mr. Montee.	31	35	58	33						

No. 9. An act to repeal section 6, chapter 153, of the Session Laws of 1901.....By Mr. Montee.	31	34	63	33	.....	140	199	242	239
No. 10. An act concerning assessment and taxation and to limit the levy of taxes in the several taxing districts of the state of Kansas, and to limit the creation of municipal indebtedness in the state, and to punish officers for the violation of this act, and to repeal all acts and parts of acts in conflict herewith.....By Mr. Kirtland.	31	33	96	33 36	99 241	120 226	229	242	245
No. 11. An act to amend section 1 of chapter 75 of the Session Laws of 1907, the same being entitled "An act to authorize and empower the board of county commissioners of Cowley county, Kansas, to build a bridge across the Arkansas river, in Cowley county, Kansas," and to repeal said original section 1.....By Mr. Cunningham.	31	34	50	33 65	..... 241	70	110	242	132
No. 12. An act authorizing and empowering the board of trustees of any county high school in the state of Kansas to secure by condemnation or otherwise real estate for the purpose of establishing an athletic park to be used in connection with such county high school, and vesting the title to such real estate in the county.....By Mr. Maynew.	32	35	59	33	.....	.....	.....	.....	.....
No. 13. An act providing for the security of depositors in the incorporated state banks of Kansas, creating the state bank depositors' guaranty fund of the state of Kansas, and providing regulations therefor. By Mr. Morgan of Reno.	32	35	114	33 36	.....	.....	.....	.....	.....
Sub. 13. An act providing for the security of depositors in the incorporated banks of Kansas, creating a bank depositors' indemnity fund, and providing regulations therefor. By Special Committee on Banks and Banking.	169	169	.....	189 170	239 184	.....	.....	.....	.....
No. 14. An act to amend section 1, chapter 68, Session Laws, 1903, relating to banks and banking.....By Mr. Rhodes.	32	35	.....	33	.....	.....	.....	.....	.....
No. 15. An act appropriating money for the payment of the pension of Harry Parks.....By Mr. Husey.	32	34	109	33 134	.....	155	199	242	239
No. 16. An act to authorize the board of education of the city of Lawrence, in Douglas county, Kansas, to increase the rate of interest upon a certain bond issue.....By Mr. Mitchell.	32	34	50	33 42	.....	.....	.....	.....	.....
No. 17. An act to amend section 19 of chapter 408 of the Session Laws of 1907.....By Mr. Mitchell.	32	33	63	33 36	99 240	121 223	229	242	245
No. 18. An act relating to primary elections, providing for the organization and government of political parties, repealing chapter 115, Laws of 1891, and all other acts and parts of acts in conflict herewith, and prescribing and fixing penalties for the violation hereof....By Mr. Stubbs.	32	35	79 80	33 36 60 83	80.82 88.89 91.97 125	91 190	115 133 136	242	244

HISTORY OF HOUSE BILLS—CONTINUED.

NUMBER AND TITLE.

NUMBER AND TITLE.	Introduced, and read first time....	Read second time, and referred to committee.....	Report of committee.....	Subsidiary motions.....	Committee of whole report, or considered engrossed....	Engrossed.....	Read third time, and sent to Senate.....	Action of Senate...	Enrolled.....	Approved by the governor.....
No. 19. An act to guarantee the deposits in banks, trust companies, and other banking institutions, creating a fund for that purpose, establishing a state banking board to control the same, providing punishments for the violation of this act, and repealing all acts and parts of acts in conflict herewith.....By Mr. Umboltz.	32	35	114	33 } 36 }						
No. 20. An act relating to the stopping of passenger-trains for receiving and letting off passengers at railroad stations in towns and cities in Labette county, Kansas, having a population of 1000 or more.....By Mr. Lehman.	32	34	105	33	164	240	177			
No. 21. An act amending sections 18 and 19 of chapter 408 of the Session Laws of 1907.....By Mr. Lehman.	32	33	63	33						
No. 22. An act to legalize the issue of certain bonds by the city of Winfield.....By Mr. Cottingham.	32	34	50	33 } 60 }		241	72	110	242	132
No. 23. An act to amend section 1 of chapter 164 of the Laws of Kansas, 1903.....By Mr. Cottingham.	32	34	50	33 } 60 }		241	73	110	242	132
No. 24. An act to amend section 2 of chapter 74 of the Session Laws of 1907.....By Mr. Cottingham.	32	34	50	33 } 60 }		239	75	110	242	132
No. 25. An act to amend section 2 of chapter 76 of the Session Laws of 1907.....By Mr. Cottingham.	32	34	50	33 } 60 }		240	75	110	242	132
No. 26. An act to amend section 5908 of the General Statutes of Kansas of 1901, and to repeal said original section.....By Mr. Ham.	33	34	105	36 } 111 }						
No. 27. An act relating to intoxicating liquors, and supplemental to chapter 339 of the Laws of 1903.....By Mr. Ham.	33	35	90	33 } 36 }	163					
No. 28. An act relating to intoxicating liquors, and supplemental to article 14, chapter 31, of the General Statutes of 1901.....By Mr. Ham.	33	91	91	33 } 36 }	188 } 193 }	239	180			

HISTORY OF HOUSE BILLS—CONTINUED.

NUMBER AND TITLE.	Introduced, and read first time.	Read second time, and referred to committee.	Report of committee.	Subsidiary motions.	Committee of whole report, or considered engrossed.	Engrossed.	Read third time, and sent to Senate.	Action of Senate.	Enrolled.	Approved by the governor.
No. 41. An act to authorize the city of Winfield, in Cowley county, to issue its bonds for the purpose of paying for the operation, improvement and extension of its water-works plant. By Mr. Cottingham.	38	40	50	{ 40 60 66 }	.....	240	74	110	242	132
No. 42. An act to amend sections 4, 8, 9 and 10 of chapter 382 of the Session Laws of 1907, and to repeal said original sections 4, 8, 9 and 10 of said chapter 382 of the Laws of 1907. By Mr. Milligan.	38	41	63	40	99	.....	123	.....	.....	.....
No. 43. An act to create the circuit court of Wyandotte county to define the powers and jurisdiction of such court and of the judge thereof, to provide for the holding of the terms of such court and for the transfer from the district court and court of common pleas of Wyandotte county of certain actions to said circuit court and from the circuit court to the district court and the court of common pleas, and for the appointment and election of a judge and clerk thereof. By Mr. Enright.	38	40	62	{ 40 134 }	.....	240	132	229	242	245
No. 44. An act to enable cities of the first class having a population of more than 50,000 to refund their indebtedness, and providing penalties for the violation thereof. By Mr. Enright.	39	41	87	{ 40 134 }	.....	241	145	200	242	239
No. 45. An act relating to the acquisition and operation by cities of the first class having more than 50,000 population of the water-works supply plant and property of any person, company or corporation, in any case where the franchise of such person, company or corporation to supply any such city of the first class with water has expired or may hereafter expire. By Mr. Enright.	39	41	59	{ 40 175 }	100	241	117 201	172 183	242	239
No. 46. An act relating to cities of the first class having a population of more than 50,000, and providing for and authorizing tax levies in such cities. By Mr. Enright.	39	41	87	40	.....	.....	117	.....	.....	.....

No. 47. An act relating to cities of the first class having a population of more than 50,000, and concerning the improvement of streets, avenues and alleys, and repealing chapter 112 of the Laws of 1905 and chapter 116 of the Laws of 1907.....By Mr. Enright.	39	41	59	{ 40 } 65	.....	68	.....	.....	.....
No. 48. An act removing and excluding certain real estate from the city of El Dorado, Kan.....By Mr. Leydig.	39	41	94	{ 40 } 129	.....	138	200	242	244
No. 49. An act fixing the metes and bounds of the city of Oakley, Logan county, Kansas.....By Mr. Price.	39	41	59	{ 40 } 129	.....	67	110	242	182
No. 50. An act apportioning the state of Kansas into representative districts.....By Mr. Miller.	39	41	96	{ 40 } 188 } 188 }	.....	.....	.....	.....	.....
No. 51. An act prohibiting the manufacture, sale, keeping or offering for sale certain adulterated foods, and supplemental to chapter 268 of the Session Laws of 1907.....By Mr. Bird.	39	41	64	40	99	122	196	242	238
No. 52. An act to amend section 18, chapter 408, of the Session Laws of 1907, and to repeal said original section 18.....By Mr. Stubbs.	39	41	63	40	.....	.....	.....	.....	.....
No. 53. An act to establish a legislative reference department of the state library, and to provide for the drafting of bills for members of the Legislature, and for the gathering of information relating to legislation in this and other states, and making appropriation therefor. By Mr. Stubbs.	39	42	.....	40	.....	.....	.....	.....	.....
No. 54. An act concerning assessment and taxation, and to amend section 17 of chapter 408 of the Session Laws of 1907, and to repeal sections 7611 and 7702 of the General Statutes of 1901. By Committee on Assessment and Taxation.	39	42	.....	40	{ 77 } 97	240	119	133	176
No. 55. An act concerning assessment and taxation, and to amend section 12, article 3, of chapter 107, of the General Statutes of 1901, being section 7515 thereof.....By Committee on Assessment and Taxation.	39	42	.....	{ 40 } 204	97	241	119	209	.....
No. 56. An act to amend sections 3, 4 and 10 of chapter 502 of the Session Laws of 1905, and to provide for the assessment and valuation for purposes of taxation of telephone companies, oil pipe-line companies and gas pipe-line companies which are local in their character and confined to the limits of a single county. By Committee on Assessment and Taxation.	39	42	.....	40	{ 77 } 99	.....	118	133	176
No. 57. An act relating to private corporations, providing the terms and conditions of the sale and distribution of natural gas from Kansas gas fields, and providing remedies for its enforcement and penalties for a violation thereof, and repealing all laws or parts of laws in conflict herewith.....By Mr. Holdren.	40	42	86	{ 40 } 88	.....	.....	.....	.....	.....

HISTORY OF HOUSE BILLS—CONTINUED.

NUMBER AND TITLE.	Introduced, and read first time....	Read second time, and referred to committee.....	Report of committee.....	Subsidiary motions.....	Committee of whole report, or considered engrossed....	Engrossed.....	Read third time, and sent to Senate.....	Action of Senate...	Enrolled.....	Approved by the governor.....
No. 58. An act to amend paragraph 1124 of the General Statutes of Kansas, 1901, concerning quarterly statement to be made by city councils in cities of the third class, and repealing said paragraph 1124, General Statutes of Kansas, 1901.....By Mr. Padgett.	43	46	.....	44	.....	.....	.....	.....	.....	.....
No. 59. An act authorizing any county to aid in the development of its natural resources.....By Mr. Pohlman.	43	44	59	44	.....	.....	.....	.....	.....	.....
No. 60. An act to regulate the employment of legislative lobby counsel and agents, to provide for the return of legislative expenses incurred by or in behalf of such legislative lobby counsel and agents, to prohibit such legislative counsel and agents from attempting to influence members of the Legislature other than by appearance before the committees thereof, and prescribing and fixing penalties for the violation of this act. By Mr. Stubbs.	43	44	87	44	.....	.....	.....	.....	.....	.....
No. 61. An act transferring certain money from the state treasurer to the county of Finney.....By Mr. Kinnison.	43	45	62 } 134	44	.....	.....	156	200	242	244
No. 62. An act providing for the collection and distribution of highway labor tax, and prescribing the duties of deputy township assessors and other officers in connection therewith.....By Mr. Finley.	43	45	63	44	.....	.....	.....	.....	.....	.....
No. 63. An act to encourage the erection of mills and factories and the manufacture of sugar and syrup out of sorghum cane and sugar-beets, and authorizing townships and cities of the second and third class to subscribe for stock in sugar factories and to vote bonds therefor, and to amend section 1 of chapter 106a, General Statutes of 1901. By Mr. Finley.	43	44	59	44	99	240	121	.....	.....	.....
No. 64. An act authorizing the city of Marquette, a city of the third class, situated in the county of McPherson and state of Kansas, to issue bonds to fund floating indebtedness.....By Mr. Lander.	43	45	95 } 134	44	.....	240	151	199	242	244

No. 65. An act to amend section 1 of chapter 274 of the Session Laws of the state of Kansas of 1907.....By Mr. Saunders.	43	45	105	44			
No. 66. An act requiring railway and railroad companies to permit passengers to ride upon freight-trains, who are provided with tickets or who tender the fare for such service.....By Mr. Saunders.	43	45	105	44			
No. 67. An act empowering the Board of Railroad Commissioners, upon complaint, to investigate all express rates charged by express companies within the state of Kansas, and directing such investigation to be made, and to change any rate or rates or classification and substitute therefor a reasonable rate or rates or classification.....By Mr. Oshant.	43	45	105	44 } 129	241	149	
No. 68. An act to regulate the maintenance of railway road-bed and tracks within the state of Kansas, and to insure the safety of railway travelers and employees.....By Mr. Padgett.	44	45	222	44			
No. 69. An act repealing paragraphs Nos. 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1283, 1284 and 1311 of the General Statutes of 1901, and chapter 150, Laws of 1903. By Mr. Padgett.	44	45		44			
No. 70. An act to prevent filthy practices in passenger-coaches and cars, and prescribing penalties for the violation thereof. By Mr. Wheeler.	44	45	86	44	103	240	131
No. 71. An act regulating the meetings of the board of county commissioners of Barton county, Kansas.....By Mr. Chatten.	44	45	63	44 } 110			
No. 72. An act to amend section 6407 of the Compiled Laws of 1901, relating to the establishment of agencies at the county seat in each county in this state, and in cities of the first and second class, for the handling sale and exchange of school-books provided for in said section 6467. By Mr. Holdren.	44	45	64	44 } 114	100	197	242
No. 73. An act relating to territory outside of the city limits of cities of the first class but adjacent thereto, and providing for the manner of holding elections for election of members of the board of education in territory attached to cities of the first class for school purposes, and for the payment of the expenses of such elections.....By Mr. Holdren.	44	58	96				
No. 74. An act to repeal chapter 422 of the Session Laws of 1907. By Mr. Guver.	44	55	63	128			139

HISTORY OF HOUSE BILLS—CONTINUED.

NUMBER AND TITLE.	Introduced, and read first time....	Read second time, and referred to committee.....	Report of committee.....	Subsidiary motions.....	Committee of whole report, or considered engrossed....	Engrossed.....	Read third time, and sent to Senate.....	Action of Senate...	Enrolled.....	Approved by the governor.....
No. 75. An act relating to private corporations, and amendatory to the provisions of certain paragraphs of chapter 23, General Statutes of 1901, and repealing paragraphs Nos. 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1269, 1271, 1272, 1273, 1283, 1284 and 1311 of the General Statutes of 1901, chapter 150, Laws of 1903, and chapter 140 of the Laws of 1907. By Mr. Stone.	46	48		47						
No. 76. An act to amend section 4241 of the General Statutes of Kansas of 1901, as amended by chapter 365 of the Laws of 1903, relating to the release of mortgages, and repealing said section 4241 as amended. By Mr. Stone.	46	48	59	47	99	239	160			
No. 77. An act conferring upon women the right to vote for presidential electors..... By Mr. Stone.	46	49	85	47						
No. 78. An act vacating vacant, unimproved town sites. By Mr. McGILLIVRAY.	46	48	59	47	77	241	116	200	242	244
No. 79. An act to enable townships to issue bonds for the purpose of aiding railroad corporations in securing and paying for lands and water privileges and constructing water-works and water pipe-lines needed for shops, roundhouses or other terminal facilities..... By Mr. Woodhouse.	46	49	57	47 } 134	103	240	157	200	242	244
No. 80. An act to amend general section 5799 of the General Statutes of the state of Kansas of 1901, relating to the employment of persons committed to the jail of any county in the state of Kansas, and repealing said original section..... By Mr. Holdren.	46	48	86	47						
No. 81. An act defining certain nuisances, authorizing state and local food and drug inspectors and state and local health officers to make inspection of certain places and things, to give written notice for the abatement of nuisances and unsanitary places found, providing penalties for the violation of the provisions of this act, and defining the duties of county attorneys in their relation hereto..... By Mr. Bird.	46	49	86	47	103					

No. 82. An act to amend sections 1, 2 and 3 of chapter 151 of the Session Laws of Kansas of 1907, granting the board of county commissioners of Harvey county, Kansas, the right to sell the present county-jail building and to dispose of the proceeds of sale, to erect a new county-jail building and sheriff's residence combined, to levy an annual tax on all the taxable property in the county in payment therefor, and the repeal of original sections 1, 2 and 3 of chapter 151 of the Session Laws of Kansas of 1907.....By Mr. Murphy.	47	48	104	{ 47 } 134	239	150	199	242	244
No. 83. An act making appropriation for the state printing plant. By Mr. Stone.	47	49	200	{ 47 } 200	.....	215	229	242	244
No. 84. An act in relation to sidewalks in the city of Leon, Kan. By Mr. Brandon.	47	48	95	{ 47 } 128	.....	.....	.....	.....	.....
No. 85. An act amending chapter 254 of the Laws of 1901, the same being an act entitled "An act to create a State Board of Medical Registration and Examination, and to regulate the practice of medicine, surgery and osteopathy in the state of Kansas, to provide penalties for the violations thereof, and repealing chapter 68 of Session Laws of 1870." By Mr. Westcott.	47	49	96	{ 47 } 115	163	240	.....	.....	.....
No. 86. An act amending section 981 of the General Statutes of 1901, as amended by section 1 of chapter 128 of the Session Laws of Kansas of 1907, being an act limiting the bonded indebtedness of cities of the second class, and repealing section 1 of chapter 128 of the Session Laws of Kansas of 1907.....By Mr. Murphy.	47	49	183	47	.....	.....	.....	.....	.....
No. 87. An act in relation to bucket-shops, brokerage offices and other places transacting the business of buying, selling and dealing in grain, stocks, bonds, securities, provisions and other commodities for future delivery; prohibiting the opening, carrying on and maintaining the same; prohibiting the use of telephone, telegraph or newspaper quotations of the market price in connection therewith; prohibiting any blackboards in connection therewith; prohibiting any telegraph or telephone operator from receiving market quotations for such place, or in such place; prohibiting any advertisement, sign or device to be made public of such place; fixing the penalty for the violation of any of the provisions of this act, and repealing all laws and parts of laws in conflict with this act, and repealing section 2448 of the General Statutes of Kansas of 1901 and all acts in conflict with this act.....By Mr. Gayer.	47	48	63	47	.....	.....	.....	.....	.....
No. 88. An act authorizing the board of commissioners of any county in Kansas having the population of 130,000 or more to declare by resolution when it is necessary to repair or improve a county building for court or county-office use for such county, fixing the maximum cost of such repairs and improvements, providing for petition therefor and a levy of a tax to create a fund to pay for said repairs and improvements. By Mr. Enright.	51	57	87	{ 54 } 184	240	158	.....	.....	.....

HISTORY OF HOUSE BILLS—CONTINUED.

NUMBER AND TITLE.	Introduced, and read first time...	Read second time, and referred to committee.....	Report of committee.....	Subsidiary motions.....	Committee of whole report, or considered engrossed....	Engrossed.....	Read third time, and sent to Senate.....	Action of Senate...	Enrolled.....	Approved by the governor.....
No. 89. An act authorizing cities of the first class having a population of more than 50,000 to purchase, construct and contract for the construction of water-works, gas, electric-light and heating plants, and to issue bonds for such purposes.....By Mr. Enright.	51	58	87	{ 54 134 197 }		241	146	198		
No. 90. An act relating to the time within which cases shall be for trial in all judicial districts of this state composed of one county, wherein there may be two or more courts of general jurisdiction, with certain exceptions, and fixing the date for terms of court therein, and repealing certain acts in conflict therewith.....By Mr. Enright.	51	55	86	54						
No. 91. An act to amend section 2 of chapter 408 of the Session Laws of 1907, relating to the creation of a Tax Commission, and defining the powers of such commission, etc.....By Mr. Saunders.	52	57		{ 54 107 }	165					
No. 92. An act creating and fixing the salary of the undersheriff of Barber county, Kansas.....By Mr. Brown.	52	55	63	{ 54 114 }						
No. 93. An act declaring Allen county, state of Kansas, to be in the class of counties named in chapter 185 of the Session Laws of 1905, and providing for the appointment of a county auditor in said county. By Mr. Tredway.	52	55	94	54						
No. 94. An act to amend paragraph 2000, chapter 31, page 435, of the General Statutes of Kansas, 1901.....By Mr. Brierley.	52	55	63	54						
No. 95. An act to amend section 2 of chapter 87 of the Session Laws of 1887, entitled "An act providing for the building and repairing of bridges in Mitchell, Ottawa and Lincoln counties, Kansas, and providing funds therefor".....By Mr. White.	52	55	95	{ 54 126 }						
No. 96. An act authorizing and empowering the board of education of the city of Atchison to issue warrants for the payment for the construction of a high-school building in the city of Atchison.....By Mr. Kirt.	52	55	94	{ 54 126 }						

No. 97. An act compelling railway companies to subscribe payment for and attend telephones in their depots, and providing penalties for the violation of this act. ....By Mr. Davis.	52	56	106	54	.....	.....	.....	.....	.....
No. 98. An act providing for separate daily passenger and freight service upon all railroads in Kansas, and providing a penalty for a violation thereof, and empowering the Board of Railroad Commissioners to order a discontinuance of separate daily passenger service in certain cases. ....By Mr. Davis.	52	56	106	54	.....	.....	.....	.....	.....
No. 99. An act to amend section 5647 of the General Statutes of Kansas, 1901, being section 205 of the code of criminal procedure, and repealing original section 5647 of the General Statutes of Kansas, 1901. ....By Mr. Davis.	52	55	68	54	.....	.....	.....	.....	.....
No. 100. An act amending section 4 and section 10 of chapter 397 of the Session Laws of Kansas of 1905, and repealing said original sections 4 and 10. ....By Mr. Foley.	52	57	64	54	100	123	133	242	176
No. 101. An act supplemental to chapter 286 of the Session Laws of 1901, chapter 340 of the Session Laws of 1905, and chapter 268 of the Session Laws of 1907, concerning the time in which the orders made by the Board of Railroad Commissioners shall take effect and remain in force, relative to railroad freight and passenger schedules, rates, tariffs, and classifications, and providing penalties for the failure or neglect of the railroads to obey such orders. ....By Mr. White.	52	56	106	54	164	177	.....	.....	.....
No. 102. An act for the protection of antelopes. ....By Mr. Hart.	52	58	96	54	164	180	229	242	244
No. 103. An act relating to private corporations. ....By Mr. Foley.	52	55	63	54	100	124	.....	.....	.....
No. 104. An act relating to voting machines, and authorizing the use of voting machines at all general, special, city and primary elections; authorizing counties, townships and cities to purchase voting machines; and to pay for the same either in cash or by issuing warrants therefor; creating a commission to examine and approve voting machines to be sold in the state; providing for the compensation of said commission for services rendered; fixing and prescribing penalties for the violation of certain provisions of this act; repealing chapter 184 of the Session Laws of 1901, and suspending all acts and parts of acts in conflict herewith. ....By Mr. Kirtland.	53	57	85	54	.....	.....	.....	.....	.....
No. 105. An act amending section 4 of chapter 388 of the Session Laws of Kansas of 1907, and repealing said original section 4. ....By Mr. Flanagan.	53	58	106	54	.....	240	138	200	244
No. 106. An act to amend an act entitled "An act to vacate certain lots, streets and alleys in White (City, Morris county, Kansas," the same being chapter 420 of the Session Laws of 1901. ....By Mr. Potts.	53	56	94	54	.....	.....	.....	.....	.....

HISTORY OF HOUSE BILLS—CONTINUED.

NUMBER AND TITLE.	Introduced, and read first time.	Read second time, and referred to committee.	Report of committee.	Subsidiary motions.	Committee of whole report, or considered engrossed.	Engrossed.	Read third time, and sent to Senate.	Action of Senate.	Enrolled.	Approved by the governor.
No. 107. An act to authorize and enable district No. 19, situated in Washington county, Kansas, to levy and collect an additional tax to pay certain indebtedness now owing by said district. By Mr. Shepard.	53	55	104	{ 54 } 128						
No. 108. An act regulating the salary of the clerk of the district court of Harper county, state of Kansas. By Mr. Brown.	53	55		{ 54 } 66			69	98	242	132
No. 109. An act regulating the meetings of the board of county commissioners of Lincoln county, Kansas, and providing for compensation of said board. By Mr. Skinner.	53	55	94	{ 54 } 134		241	153	199	242	244
No. 110. An act to amend sections 1, 5, 6 and 11 of chapter 407 of Laws of Kansas, 1907, and to repeal said original sections. By Mr. Ham.	53	58	96	54	164	241	187	199	242	244
No. 111. An act authorizing the creation of deposit insurance companies, defining their powers and duties, and the duties of certain state officers in relation thereto, and providing that banks and trust companies may participate in the benefits thereof, and providing penalties for the violation of this act. By Mr. Ham.	53	56		{ 54 } 62 68 107 133 171 189 211	130 133 138 171 186	241	187 230	209 229	242	Veto. 243
No. 112. An act making an appropriation for the erection and equipment of a hospital and other buildings for treatment of tubercular patients at some place in the state of Kansas, providing a manner of locating the same, and providing for the management and maintenance of the same. By Mr. Wilson.	53	56		54						
No. 113. An act to amend section 1 of chapter 163 of the Session Laws of 1907, relating to county attorneys, and repealing said section. By Mr. Finley.	53	55	63	54						
No. 114. An act to amend chapter 290 of the Session Laws of 1907, being an act declaring section lines highways in the county of Rice and other counties therein named, and repealing said original chapter 290 of the Session Laws of 1907. By Mr. Mercer.	53	55	94	{ 54 } 134			147	199	242	244

No. 115. An act to amend section 8 of chapter 288 of the Session Laws of 1907, relating to railroads and other common carriers, and to repeal said section 8 of chapter 288 of the Session Laws of 1907. By Mr. Stone.	54	56	106	54	164	241	178		
No. 116. An act to amend sections 12, 13 and 23 of chapter 47 of the Session Laws of 1897, entitled "An act relating to banks and banking, providing for the organization, management, control, regulation and supervision of banks, and providing penalties for violation of the provisions of this act," and repealing sections 12, 13 and 23, chapter 47, of the Session Laws of 1897.....By Mr. Stone.	54	56	183 }	54 }					
No. 117. An act amending section 1 of chapter 189, Session Laws, 1907.....By Mr. Stone.	54	55	87	54					
No. 118. An act concerning the jurisdiction of the court of Topeka, regulating appeals therefrom, providing for the appointment of a clerk <i>pro tem.</i> , and amending sections 2 and 13 of chapter 129 of the Session Laws of 1899.....By Mr. Stone.	54	56	94	54					
No. 119. An act relating to the appointment of agents for life and other insurance companies in the state of Kansas, and prohibiting the superintendent of insurance from issuing a license to such non-resident agents, amending section 19 of chapter 93 of the Laws of 1871. By Mr. Elstun.	54	57	104	54	164 }				
No. 120. An act to amend sections 3 and 18, chapter 408, of the Session Laws of 1907, and to repeal said original sections 3 and 18. By Mr. Stubbs.	54	57	95	54	188 }				
No. 121. An act regulating the rentals allowed for the use of telephones, and fixing a penalty for the violation thereof.....By Mr. Gordon.	54	56		54					
No. 122. An act to authorize the township board of Sherman township, Sedgewick county, Kansas, to issue bonds for the purpose of erecting a public building and to purchase a site therefor.....By Mr. Saunders.	54	56		54			70	110	242
No. 123. An act providing for the depositors in the incorporated state banks of Kansas, and for the enforcement thereof.....By Mr. Wells.	54	57	114 }	54 }					
Sub. 123. An act providing for the security of depositors in the incorporated banks of Kansas, and for the enforcement of this act. By Special Committee on Banks and Banking.	169	169		119	170	240	185		
No. 124. An act providing for the enrolment of civil war and Spanish-American war veterans.....By Mr. Jeffries.	54	58	88	54	163	241	179		
No. 125. An act authorizing the disposition of certain funds in Morton county, Kansas.....By Mr. Craddock.	61	62	94 }	61 }					

HISTORY OF HOUSE BILLS—CONCLUDED.

NUMBER AND TITLE.	Introduced, and read first time...	Read second time, and referred to committee.....	Report of committee.....	Subsidiary motions.....	Committee of whole report, or considered engrossed....	Engrossed.....	Read third time, and sent to Senate.....	Action of Senate...	Enrolled.....	Approved by the governor.....
No. 126. An act giving to the members of the State Tax Commission and the secretary, clerk, stenographer, accountants and experts of said commission the right to be carried over railroads in Kansas free of charge, and permitting railroads to carry such officials free of charge. By Committee on Assessment and Taxation.	61	62	.....	61	183 } 188 }	.....	.....	.....	.....	.....
No. 127. An act authorizing the county commissioners of Stevens and Morton counties to drill artesian wells and to make appropriations to pay for the same..... By Mr. Craddock.	61	62	94	61 } 125 }	.....	.....	.....	.....	.....	.....
No. 128. An act authorizing cities of the third class to fund their outstanding floating indebtedness in certain cases..... By Mr. Boggs.	61	62	96	61	164	.....	178	229	242	244
No. 129. An act regulating the control and management of fire departments in cities of the first class, providing for a system of civil service therein, and repealing all laws in conflict therewith.... By Mr. Enright.	83	84	96	83 } 134 }	.....	240	154 210	200	242	244
No. 130. An act to provide for a bounty on gopher, ground mole and rabbit scalps, to require a license to carry a gun, providing a penalty for the violation of this act, requiring the bounty on rabbit scalps to be paid out of the license fund, and repealing all acts and parts of acts in conflict with this act..... By Committee on Agriculture.	83	84	.....	83	163	241	181 } 227 }	209	242	245
No. 131. An act providing an appropriation to be used by the State Entomological Commission for the extermination of green bugs. By Mr. Mitchell.	91	91	.....	91	.....	.....	.....	.....	.....	.....
No. 132. An act authorizing the county commissioners of Montgomery county to levy an additional tax for the purposes of defraying county expenses in said county..... By Committee on Assessment and Taxation.	127	127	.....	137	.....	.....	159 } 211 }	199	242	244
No. 133. An act authorizing and empowering the board of education of the city of Frontenac, Kan., to levy a tax for the support of the schools of said city, not exceeding thirty mills on the dollar for any one year. By Committee on Assessment and Taxation.	127	127	.....	137	.....	241	159	199	242	244

No. 134. An act defining what shall constitute criminal slander, and prescribing punishment therefor in relation to banks and banking. By Committee on Banks and Banking.	131	131	.....	131	.....	.....	.....	.....	.....	.....
No. 135. An act to regulate the maintenance of railway road-bed and tracks within the state of Kansas, and to insure the safety of railway travelers and employees.....By Committee on Railroads.	134	137	.....	.....	.....	.....	.....	.....	.....	.....
No. 136. An act requiring places where drugs, foods and drinks are manufactured, prepared, stored, sold or offered for sale to be kept in a clean, wholesome and sanitary condition, defining the duties of inspectors and health officers and county attorneys, and providing penalties for the violation of this act.....By Committee on Hygiene and Public Health.	134	137	.....	.....	.....	.....	.....	.....	.....	.....
No. 137. An act authorizing the employment of an additional stenographer in the office of the attorney-general, and making appropriation therefor.....By Committee on Ways and Means.	136	136	.....	135	.....	.....	.....	.....	.....	.....
No. 138. An act concerning the establishment and maintenance of free common schools in cities of the first class and prescribing certain powers and duties of the boards of education of said cities in relation thereto, and repealing all acts and parts of acts in conflict therewith. By Committee on Education.	173	173	.....	173	.....	.....	.....	.....	.....	.....
No. 139. An act relating to bank examination, providing for the appointment of an assistant commissioner, deputy examiners, and making an appropriation therefor.....By Committee on Ways and Means.	234	234	.....	234	.....	234	239	242	245	.....
No. 140. An act making appropriation for miscellaneous purposes. By Committee on Ways and Means.	234	234	.....	234	.....	235	239	242	245	.....

HOUSE CONCURRENT RESOLUTIONS.

NUMBER AND TITLE.	Introduced, and read first time....	Read second time, and referred to committee.....	Report of committee.....	Subsidiary motions.....	Committee of whole report, or considered engrossed....	Engrossed.....	Read third time, and sent to Senate.....	Action of Senate...	Enrolled.....	Approved by the governor.....
No. 2. Relating to the introduction of bills..... By Mr. Cramly.	37			37						
No. 3. Relating to the introduction of bills.. By Mr. Morgan of Reno.	37	37		37			37	30	31	
No. 4. Relating to indorsement of Wm. H. Taft for president of the United States..... By Mr. Stubbs.	35	35		35			35			
No. 5. Relating to final adjournment..... By Mr. Brierley.	110	129		129						
No. 6. Relating to final adjournment..... By Mr. Archer.	131	137		137			137	136		
No. 7. Relating to final adjournment..... By Mr. Bird.	134	137		137						
No. 8. Relating to Pawnee Rock..... By Mr. Plumb.	134	137		137			137			
No. 9. Relating to creating a volunteer list..... By Mr. Stubbs.		174		174			174			
No. 10. Relating to ceasing consideration of bills. By Mr. Morgan of Reno.	136	136					136 206	200		
No. 11. Relating to printing 15,000 copies of House bill No. 18. By Mr. Haskins.	201	201					201	229		
No. 12. Relating to final adjournment..... By Mr. Stone.	222			222						
No. 13. Relating to final consideration of bills..... By Mr. Stubbs.	230			230						

Senate Bills in the House.

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SENATE BILLS IN THE HOUSE.

NUMBER AND TITLE.	Messaged to the House.....	Read first time.....	Read second time, and referred to committee.....	Report of committee.....	Rules suspended, and placed on third reading.....	Read third time, and returned to Senate.....	Further action of the Senate.....	Further action of the House.....	Miscellaneous.....
No. 1. An act providing for the selection for party nominees for United States senator.....By Senator Caldwell.	64	65	85	115					111 113
No. 3. An act concerning railroads, amending and repealing section 1 of chapter 272, Laws of 1907.....By Senator Brewer.	64	65	85	105					42
No. 4. An act to authorize the board of education of the city of Lawrence, in Douglas county Kansas, to increase the rate of interest upon a certain bond issue.....By Senator Griffin.	42	42	42	49	60	76			115 125
No. 5. An act relating to primary elections, providing for the organization and government of political parties, repealing chapter 115, Laws of 1891, and all other acts and parts of acts in conflict therewith, and prescribing and fixing penalties for the violation thereof. By Senator Young.	109	109	123						
No. 12. An act to authorize the erection and maintenance of water-works in the state of Kansas.....By Senator Martin of Woodson.	98	98	106	175	230	233	239		
No. 13. An act regulating the meetings of the boards of county commissioners.....By Senator Chapman.	98	98	106		134	144			110
No. 24. An act prohibiting the manufacture, sale, keeping or offering for sale of certain adulterated food, and supplemental to chapter 286 of the Session Laws of 1907.....By Senator Huffman.	133	136							
No. 28. An act authorizing the board of county commissioners of Shawnee county, Kansas, to sell the fair-grounds belonging to Shawnee county and purchase other land with the proceeds of such sale, or to purchase other land to enlarge the present fair-grounds, and levy a tax for the purpose of purchasing additional lands, if found necessary, and the erection of permanent buildings and improvements on such fair-grounds, and repealing chapter 161 of the Laws of 1907.....By Senator Betts.	64	65	84						88 97

No. 31. An act amending section 434 of chapter 110 of General Statutes of 1901, relating to banks and banking, and repealing original section 434.....By Senator Quincy.	90	90	93	114	204	217	.....	.....
No. 32. An act to amend section 1 of chapter 68 of the Session Laws of 1903, being section 408 of the General Statutes of 1901, as repealed by said act of 1903, relating to the management and control of banking. By Senator Quincy.	98	98	108	114	205	218	.....	.....
No. 33. An act designating the state treasurer as the fiscal agent of the state of Kansas, and regulating the same, and amending and repealing section 3155, General Statutes, 1901, and all acts in conflict herewith. By Senator Quincy.	98	98	108	183	205	219	.....	.....
No. 34. An act authorizing the employment of an additional stenographer in the office of the attorney-general, and making appropriation therefor.....By Senator Tucker.	199	199	208	234	.....	236	.....	.....
No. 36. An act relating to cities of the first class. By Senator Getty.	172	172	174	.....	210	212	.....	204
No. 38. An act authorizing all counties in Kansas to levy a tax for the purpose of paying off their indebtedness. By Senator Porter of Montgomery.	98	98	108	.....	.....	.....	.....	.....
No. 39. An act to amend section 1284 of the General Statutes of 1901, relating to corporations, and repealing said section 1284. By Senator Porter of Montgomery.	183	183	.....	.....	.....	.....	.....	.....
No. 41. An act relating to territory outside of the city limits of cities of the first class, but adjacent thereto, and providing for the manner of holding elections for the election of members of the board of education in territory attached to cities of the first class for school purposes and for the payment of the expenses of such elections. By Senator Porter of Montgomery.	90	90	98	96	134	152	.....	.....
No. 42. An act to provide for a recording tax on mortgages on real property, and for their exemption from taxation after being recorded, regulating the effect of non-payment of recording tax, and providing for the apportionment of the proceeds of such taxes....By Senator Brewer.	197	197	197	.....	223	225	.....	197
No. 48. An act relating to the powers of judges in vacation. By Senator Smith.	172	172	174	.....	.....	.....	.....	.....
No. 50. An act to authorize and enable district No. 19, situated in Washington county, Kansas, to levy and collect an additional tax to pay certain indebtedness now owing by said district.....By Senator Lower.	109	109	128	.....	184	149	.....	128

SENATE CONCURRENT RESOLUTIONS IN THE HOUSE.

NUMBER AND TITLE.					
	Messaged to the House.....	Read first time.....	Read second time, and referred to committee.....	Report of committee.....	Report of committee of the whole.....
No. 1. Relating to a joint committee to wait upon the governor.....	16	16	25	.....	.....
No. 6. Relating to indorsement of candidacy of William H. Taft for president.....	98	98	114	.....	.....
No. 7. Relating to joint rules for government of the House and Senate.	91	98	114	.....	.....
No. 9. Relating to final adjournment.....	242	242	242	.....	.....
				Rules suspended, and placed on third reading.....	Read third time, and returned to Senate.....
				Further action of the Senate.....	Further action of the House.....
				Miscellaneous.....	

